

PLANNING COMMISSION'S UDO REMAPPING WORK SESSION AGENDA

January 20, 2015 – 9:00 a.m.

City Council Chambers– Municipal Building

The following items will be discussed in the order in which they appear on this agenda, unless otherwise determined by the Chairman.

- A. Comments from the Public – New comments not already delivered during the public comment period that ended September 30 and not included on this agenda. Note that comments received after February 6, 2015 will be forwarded to the City Council without the benefit of Planning Commission review.
- B. UDO Remapping Public Comment – Change Requests
 - a. Requests are grouped by CAC and Change Request Map Number. Property address and PIN are included for reference.

Note: Pending zoning cases will not be discussed as part of this work session.

Staff will make a presentation for information on the options available for Special R-30 neighborhoods related to these items that have been previously discussed:

CAC	Agenda Item	Address	PIN	Map No.
Five Points (Glenwood-Brooklyn Neighborhood)	63	Glenwood-Brooklyn Neighborhood (SP R-30)	Various	180.1
	64	940 N Boylan Ave	1704432648	180.2
		806, 807, 813, 815, 817, & 819 Clay St	1704338053, 1704336154, 1704335178, 1704335220, 1704334262, 1704334212	
		601 Devereux St	1704424530	
		1117, 1205, 1207, & 1209 Filmore St	1704531912, 1704541232, 1704541247, 1704541352,	
		722 & 727 Gaston St	1704329607, 1704327853	
		810, 812, 814, 816, 818, 830, 832, 834, 836, & 838 Gaston Wood Ct	1704430153, 1704430110, 1704339068, 1704339048, 1704339018, 1704338195, 1704338069, 1704338130, 1704338101, 1704337172	

CAC	Agenda Item	Address	PIN	Map No.
Five Points (Glenwood-Brooklyn Neighborhood)	64	704, 710, 712, 810, 900, 901, & 1020 Glenwood Ave	1704427350, 1704427474, 1704427581, 1704428921, 1704438032, 1704436115, 1704438657	180.2
		1220 Pierce St	1704547412	
		510 Tilden St	1704439045	
		501, 600, 611, 615, & 625 Washington St	1704533419, 1704530884, 1704439684, 1704439634, 1704439504	
		614 Wills Forest St	1704435119	
	65	1110, 1114, 1218 Glenwood Ave; 607 Adams St	1704439925, 1704449012, 1704449358, 1704449080	180.3
	66	806 Clay St	1704338053	180.4
		1117 & 1205 Filmore St	1704531912, 1704541232	
		810, 812, 814, 816, 818, 830, 832, 834, 836, & 838 Gaston Wood Ct	1704430153, 1704430110, 1704339068, 1704339048, 1704339018, 1704338195, 1704338069, 1704338130, 1704338101, 1704337172	
		710, 712, 810, 900, & 901 Glenwood Ave	1704427474, 1704427581, 1704428921, 1704438032, 1704436115	
		510 Tilden St	1704439045	
		611 & 615 Washington St	1704439684, 1704439634	
		614 Wills Forest St	1704435119	
	67	722 Gaston St	1704329607	180.5
	68	809 Brooklyn St	1704325892	180.6
	69	601 Devereux St	1704424530	180.7
	70	1220 Pierce St	1704547412	22
	71	1220 Pierce St	1704547412	23
	72	1315 Filmore St	1704541874	114 & 180.8

CAC	Agenda Item	Address	PIN	Map No.
Five Points (Glenwood-Brooklyn Neighborhood)	73	1307 Filmore St	1704542749	115
	75	502 & 504 Washington St	1704534811, 1704534891	31
	76	501 Washington St	1704533419	42
	77	704 Glenwood Ave	1704427350	82
Hillsborough (Pullen Park Neighborhood)	78	Pullen Park Neighborhood	Various	112
	79	106 Wakefield Ave	1703195540	88
	80	216 Dexter Pl	1703099689	72
	83	212, 214, & 216 Cox Ave	1703095947, 1703095943, 1703095849	113

These new items, from the Southwest & West CACs, will be discussed:

CAC	Agenda Item	Address	PIN	Map No.
Southwest	144	3416 Tryon Rd	0792066855	1
	145	2401 Crusader Dr	0793881119	148
		600, 620 & 720 Bilyeu St	0793983218, 0793888192, 0793875952	
		715 Nazareth St	0793772995	
West	146	1100 Corporate Center Dr	0774865635	15
		1229 & 1321 Nowell Rd	0774857496, 0774858875	
Southwest	147	420 Chapanoke Rd	1702238182	78
	148	1928 & 1938 S Wilmington St	1703601181, 1702691912	85
		201, 235, & 239 Walker St	1703508002, 1703506166, 1703505186	
	149	2916, 3000, 3020, 3040, & 3100 S Wilmington St	1702346427, 1702346225, 1702346005, 1702335897, 1702335750	176
	150	1709 Lake Wheeler Rd	1703016713	208
West	151	4020 & 4100 Tryon Rd	0782782208, 0782688069	132
	152	5115 Beryl Rd	0784524764	204
	153	3628 Tryon Rd	0782972900	205

CAC	Agenda Item	Address	PIN	Map No.
Southwest	154	3200, 3210, 3222, & 3224 S Wilmington St	1702337525, 1702334256, 1702336250, 1702325995	24
		0, 3310, 3320, 3400, 3408, 3416, 3421, 3424, & 3510 Olympia Dr	1702217999, 1702324661, 1702324412, 1702323288, 1702323154, 1702312978, 1702310674, 1702310938, 1702226061	
		3551 Grenelle St	1702312417	
		401 & 407 Chapanoke Rd	1702323604, 1702229269	
	155	217, 218, & 221 Maywood Ave	1703411899, 1703421153, 1703411858	25
		217 Summit Ave	1703421370	
		1517 S Saunders St	1703411745	
	156	95, 125, & 137 Bluff St	1703602327, 1703601307, 1703509386	33
		120, 124, 128, & 132 Walker St	1703601207, 1703600267, 1703509297, 1703509257	
		1705 S Wilmington St	1703602268	
	157	2916, 3000, 3020, 3040, & 3100 S Wilmington St	1702346427, 1702346225, 1702346005, 1702335897, 1702335750	77
	158	3600, 3608, & 3610 S Wilmington St	1702312192, 1702301850	122
		475 Tryon Rd	1702310153	
West	159	1021 Nowell Rd	0774842068	6
		0 Corporate Center Dr	0774844006	
	160	505 Heather Dr	0784419012	8
		5301 Western Blvd	0784416081	
	161	5615 & 5619 Hillsborough St	0784215140, 0784214003	51
	162	5900 Chapel Hill Rd	0784132411	70

CAC	Agenda Item	Address	PIN	Map No.
West	163	5403, 5605, 5705, 5719, 5801, 5901, 5921, 6001, 6005, 6009, 6011, 6015, 6105, & 6115 Chapel Hill Rd	0784326374, 0784322047, 0784229030, 0784216825, 0784213727, 0784118796, 0784128053, 0784115618, 0784123046, 0784122037, 0784111871, 0784121019, 0784018842, 0784014834	94
	164	800 & 900 Jones Franklin Rd	0783147726, 0783144438	136

These requests, submitted to Planning Commission after September 30, 2014 will be discussed:

CAC	Agenda Item	Address	PIN	Map No.
Atlantic	165	2131 Harrod St	1716709996	210
Central	166	301, 303 Kinsey St	1703379838, 1703470813	217
		300 Dupont Cir	1703471757	
Five Points	167	807 Clay Street	1704336154	214
	168	829 Washington St	1704331517	215
		900 St. Mary's St	1704332305	
Midtown	169	309 W Millbrook Rd	1706468597	209
	170	901 Navaho Drive	1715170038	223
North	171	6125 Six Forks Rd	1706699894	201
	172	3500 & 3501 Spring Forest Rd	1726366049, 1726366675	212
South Central	173	600 New Bern Ave	1713084852	226

Pending Items

These items, related to Vehicle Fuel Sales and frontage designations, have been deferred for further discussion:

CAC	Agenda Item	Address	PIN	Map No.
North	10	5620 Atlantic Ave	1716990129	160
	12	6601 Falls of Neuse Rd	1717127972	162
Northeast	18	2744 Capital Blvd	1715829585	161
Atlantic	34	2823 Capital Blvd	1715936330	159
	35	2929 Capital Blvd	1725031568	156
Midtown	36	4101 Wake Forest Rd	1715494776	163
	37	2837 Wake Forest Rd	1715133422	166
Five Points	48	1942 Wake Forest Rd	1714193080	169
East	102	1809 New Bern Ave	1713497184	170
South	104	1960 Rock Quarry Rd	1712498642	165
Northwest	TBD	6712 Glenwood Ave	0786681528	157
Glenwood	TBD	4120 & 4123 Glenwood Ave	0796700071, 0795698823	158
Southwest	TBD	2516 S Saunders St	1702470709	164
Wade	TBD	3411 Hillsborough St	0794339499	155
	TBD	3611 Hillsborough St	0794336646	167
	TBD	3614/3616 Hillsborough St	0794337981	172
West	TBD	5633 Western Blvd	0784202723	173

These items, related to heights in the Downtown District, have been deferred for further discussion:

CAC	Agenda Item	Address	PIN	Map No.
Central	123	Downtown (Heights)	Various	N/A
	124	105 & 107 Stronachs Aly	1703764707, 1703764743	109
		116 E Cabarrus St	1703764861	
		513 S Wilmington St	1703763636	
	125	512 S Blount St	1703766549	110
	126	121 & 125 E South St	1703765249, 1703766221	138
		600 S Blount St	1703766323	
	127	13, 15 & 19 E Martin St	1703771985, 1703771994, 1703772935	139
	128	8, 12, 16 & 20 E Hargett St	1703781352, 1703781382, 1703782312, 1703782362	140
		206 & 216 S Wilmington St	1703782247, 1703782139	

CAC	Agenda Item	Address	PIN	Map No.
Central	129	104, 108, 112, 126, 128, & 212 E Hargett St	1703783371, 1703784204, 1703784275, 1703786238, 1703787208, 1703786254	141
		107, 123, & 135 E Martin St	1703774923, 1703776955, 1703776992	
		212, 214, 216, 218, 222, & 224 S Blount St	1703787212, 1703787106, 1703786156, 1703786096, 1703786091, 1703777908	
		205, 209, 211, 215, 217, 219, 223, 225, 227, 233, & 237 S Wilmington St	1703783278, 1703783265, 1703783262, 1703783270, 1703783167, 1703783165, 1703783190, 1703783098, 1703783096, 1703785164, 1703773964	
	130	112, 114, 120, 122, 124, & 126 S Blount St	1703787607, 1703787602, 1703787517, 1703787521, 1703786536, 1703787444	142
		111, 115, 117, 119, 123, 125, 131, & 133 E Hargett St	1703784458, 1703784494, 1703785456, 1703785485, 1703785436, 1703786434, 1703786472, 1703786492	
		126, 130, & 136 E Morgan St	1703785794, 1703786767, 1703787737	
		101, 105, 113, 117, 135, & 137 S Wilmington St	1703784761, 1703784713, 1703784622, 1703785518, 1703783478, 1703783482	
	131	101, 105, & 109 S Blount St	1703788787, 1703788771, 1703789654	143
		201 & 207 E Hargett St	1703789468, 1703881448	

CAC	Agenda Item	Address	PIN	Map No.
N. Central	134	300 Hillsborough St	1703596392	103
Central	135	421, 423, 427 S Blount St	1703778034, 1703768939, 1703768933	5
		209, 213, 215, 219, 223, 225, 227 E Cabarrus St;	1703769918, 1703769958, 1703860906, 1703860945, 1703860985, 1703861981, 1703861935	
		424, 426, 430 S Person St	1703861989, 1703861987, 1703861984	
	136	225 E Davie St	1703871564	69
		226, 228,& 230 E Martin St	1703871749, 1703871762, 1703872717	
	137	425 S Person St	1703862986	102
	138	111, 115, 117, 119, & 123 E Hargett St	1703784458, 1703784494, 1703785456, 1703785485, 1703785436	104
		135 & 137 S Wilmington St	1703783478, 1703783482	
	139	18 Commerce Pl	1703573695	105
		319 W Martin St	1703573758	
		328 W Davie St	1703573589	
	140	323 W Davie St	1703574387	106
		416 & 418 S Dawson St	1703575293, 1703575147	
	141	404 & 406 S Dawson St	1703576349, 1703576333	107
	142	220 E Morgan Street	1703881970	128
Central	143	210, 214, 218, 224, 226, & 228 S Bloodworth St	1703886184, 1703886088, 1703887004, 1703877908, 1703876995, 1703876991	129
		304, 306, 314, & 330 E Hargett St	1703883244, 1703883284, 1703884280, 1703886253	
		313, 317, 319, 323, 325, & 327 E Martin St	1703874995, 1703875954, 1703886024, 1703876933, 1703876953, 1703876898	
		215, 219, & 227 S Person St	1703884007, 1703874926, 1703873964	

These items, related to zoning on Yonkers Rd, have been deferred for further discussion:

CAC	Agenda Item	Address	PIN	Map No.
East	88	2004 Yonkers Rd	1715600424	188
	89	2021 N Raleigh Blvd	1714797820	189
	90	2620 Yonkers Rd	1714887754	190
	91	0, 2900, 3000 Yonkers Rd	1724063635	191
	92	3600 Yonkers Rd	1724147666	192
	93	2020 & 2400 Yonkers Rd	1715606648	126



**Planning Commission January 20, 2015
Z-27-14 Citywide UDO Remapping
West & Southwest CAC Areas**

Review of the proposed citywide rezoning is organized around public comment change requests received between May and September 2014. To facilitate public participation, comments will be grouped by Citizens Advisory Council (CAC) area for review. Staff has identified each public comment change request as falling in one of these three categories:

- A. Staff agrees
- B. Staff requests additional discussion
- C. Staff disagrees

Each comment is numbered below and sorted by category. Staff has provided basic information related to the property which includes existing and proposed zoning, requested zoning and applicable Comprehensive Plan guidance. Each request contains a staff recommendation. Related correspondence included at the end of the report references the Comment ID field.

New Requests

Staff presentation regarding Special R-30 Neighborhoods

Staff will provide an overview of the options available for remapping Special R-30 neighborhoods. Related items have been deferred and will be brought forward for decision at a future meeting.

A. Staff agrees with the following Public Comment Change Request in the West & Southwest CAC areas:

144.	<i>Address:</i>	3416 Tryon Rd & University Suites
	<i>PIN:</i>	0792066855
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	1 / CC1-0026
	<i>Existing Zoning:</i>	CUD TD
	<i>Current Use:</i>	Single-Unit Living
	<i>Proposed Zoning:</i>	R-10-CU
	<i>Requested Zoning:</i>	R-10
	<i>Future Land Use Designation:</i>	Moderate Density Residential
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	N/A

The property owner is requesting removal of zoning conditions. Upon further review, staff has determined that the zoning conditions do not include any regulation more stringent than the

recommended zoning of R-10. Current conditions are included at the end of this report for reference.

Recommendation: The requested zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into the closest comparative district in the UDO. The property should be zoned R-10.

145.	<i>Address:</i>	2401 Crusader Dr; 600, 620 & 720 Bilyeu St; 715 Nazareth St
	<i>PIN:</i>	0793881119; 0793983218, 0793888192, 0793875952; 0793772995
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	148 / GEN-0520
	<i>Existing Zoning:</i>	O&I-1 w/SRPOD
	<i>Current Use:</i>	Vacant; Multi-Unit Living; Proposed Church
	<i>Proposed Zoning:</i>	OX-3-PL w/SRPOD
	<i>Requested Zoning:</i>	OX-3 w/SRPOD
	<i>Future Land Use Designation:</i>	Medium Density Residential
	<i>Area Plan Guidance:</i>	Western Blvd Crossing Study Mission Valley Small Area Plan
	<i>Urban Form Designation:</i>	Within Half-Mile Transit Buffer

The property owner is requesting removal of the PL frontage designation for the parcels. Staff agrees with the request; frontages were not recommended for adjacent parcels and except for one, the parcels do not have frontage on corridors designated on the Urban Form Map.

Recommendation: The requested zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into the closest comparative district in the UDO. The property should be zoned OX-3 w/SRPOD.

146.	<i>Address:</i>	1100 Corporate Center Dr; 1229 & 1321 Nowell Rd
	<i>PIN:</i>	0774865635; 0774857496, 0774858875
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	15 / CC6-0091; GEN-0153
	<i>Existing Zoning:</i>	TD
	<i>Current Use:</i>	Office
	<i>Proposed Zoning:</i>	OP-4-PK
	<i>Requested Zoning:</i>	CX-4-PK
	<i>Future Land Use Designation:</i>	Office/Research & Development
	<i>Area Plan Guidance:</i>	Arena Small Area Plan
	<i>Urban Form Designation:</i>	City Growth Center Frontages on Urban Thoroughfares

The property owner is requesting CX to preserve the currently allowed, but not yet established, use of hotel. Overnight lodging is a special use in the OP- district. Staff agrees with the request; while the use being considered is not specifically designated on the Future Land Use Map in the area, it is needed to service Office/Research & Development and it could be established without adversely altering the recommended land use and character of the area.

Recommendation: The requested zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into a comparative district in the UDO. The property should be zoned CX-4-PK. Does it really implement the FLUM when the FLUM shows

B. Staff requests discussion of the following Public Comment Change Requests in the West & Southwest CAC areas:

147.	<i>Address:</i>	420 Chapanoke Rd
	<i>PIN:</i>	1702238182
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	78 / WEB-15683
	<i>Existing Zoning:</i>	IND-1
	<i>Current Use:</i>	Vacant
	<i>Proposed Zoning:</i>	CX-3-PL
	<i>Requested Zoning:</i>	NX-3-PL
	<i>Future Land Use Designation:</i>	Moderate Density Residential
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor (Under Study)
	<i>Urban Form Designation:</i>	Mixed-Use Center Frontage on Urban Thoroughfare

The commentor (not the property owner) requests NX zoning instead of CX zoning for the property. Staff considered several possible zoning designations for this vacant parcel. Given its current zoning (IND-1), FLUM designation of Moderate Density Residential, and adjacency to areas developed for both commercial and residential uses, CX- zoning was recommended to preserve the majority of currently allowed uses and facilitate compatible development with the

surrounding area. NX- zoning would further reduce the range of allowed uses, which the commentor believes would be more in keeping with nearby residential development.

Recommendation: Further discussion.

148.	<i>Address:</i>	1928 & 1938 S Wilmington St; 201, 235, & 239 Walker St
	<i>PIN:</i>	1703601181, 1702691912, 1703508002, 1703506166, 1703505186
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	85 / WEB-20499
	<i>Existing Zoning:</i>	IND-2 w/SHOD-2
	<i>Current Use:</i>	Waste-Related Service
	<i>Proposed Zoning:</i>	IH w/SHOD-2
	<i>Requested Zoning:</i>	IX-3 w/SHOD-2
	<i>Future Land Use Designation:</i>	Regional Mixed Use
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor (Under Study)
	<i>Urban Form Designation:</i>	Frontage on Parkway Corridor

The commentor (not the property owner) requests more restrictive zoning that she believes would be more compatible with residential development across Wilmington Street to the east. Staff proposed IH for the parcels since it is the close comparative district to existing zoning.

Recommendation: Further discussion.

149.	<i>Address:</i>	2916, 3000, 3020, 3040, & 3100 S Wilmington St
	<i>PIN:</i>	1702346427, 1702346225, 1702346005, 1702335897, 1702335750
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	77, 176 / WEB-15362, GEN-0566 thru 0570
	<i>Existing Zoning:</i>	IND-1
	<i>Current Use:</i>	Vacant (Billboard)
	<i>Proposed Zoning:</i>	IX-3
	<i>Requested Zoning:</i>	CX-3 (property owner); something else (neighbor)
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor (Under Study)
	<i>Urban Form Designation:</i>	Frontage on Transit Emphasis Corridor

The property owner requests CX- zoning instead of IX- zoning. Another commentor (not the property owner) asks for alternate zoning for better compatibility with the residential development to the west. Staff considered IX- and CX- zoning for these vacant parcels. CX- zoning was considered as a possibility to advance implementation of the Future Land Use Map. Staff recommended IX- zoning because it is the closest comparative district to existing zoning and it would not render the existing outdoor advertising off-premise sign non-conforming.

Recommendation: Further discussion.

150.	<i>Address:</i>	1709, 1711, 1715, & 1717 Lake Wheeler Rd
	<i>PIN:</i>	1703016713, 1703014652, 1703011674, 1703013428
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	208 / PC-0016
	<i>Existing Zoning:</i>	IND-2 w/SHOD-2 & SRPOD
	<i>Current Use:</i>	Vehicle Fuel Sales w/ Eating Establishment; Lumber Yard; Outdoor Storage
	<i>Proposed Zoning:</i>	IX-3 / IH w/SHOD-2 & SRPOD
	<i>Requested Zoning:</i>	Correct IH / IX Placement
	<i>Future Land Use Designation:</i>	Regional Mixed Use
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor (Under Study)
	<i>Urban Form Designation:</i>	N/A

The commentor requests alternate configuration of IX-3 and IH zoning. Upon review prompted by the comment, staff finds that the recommendation for IH was incorrectly mapped for 1709 and 1711 Lake Wheeler Road instead of 1711, 1715, and 1717. IH zoning would be appropriate to allow continued permitted use of these parcels as outdoor storage yards for vehicles.

Recommendation: Further discussion

151.	<i>Address:</i>	4020 & 4100 Tryon Rd
	<i>PIN:</i>	0782782208, 0782688069
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	132 / GEN-0498; WEB-37444, -38082, -38402
	<i>Existing Zoning:</i>	IND-1 w/SHOD-1 & SRPOD
	<i>Current Use:</i>	Vacant
	<i>Proposed Zoning:</i>	IX-3-PL w/SHOD-1 & SRPOD
	<i>Requested Zoning:</i>	IX-4
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	Mixed-Use Center Frontage on Transit Emphasis Corridor Frontage on Parkway Corridor

The property owner requests removal of the frontage designation and greater height designation. The commentor believes that PL frontage would adversely impact development potential; staff does not agree with this portion of the request. The commentor also requests greater height designation of 4 stories. Given the parcels' location on a Transit Emphasis Corridor within a Mixed-Use Center the Planning Commission could determine that additional height is appropriate. Alternately, the parcel may be rezoned in the future to allow greater height designation as part of the public process of a privately initiated rezoning.

Recommendation: Further discussion.

152.	<i>Address:</i>	5115 Beryl Rd
	<i>PIN:</i>	0784524764
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	204 / PC-0011
	<i>Existing Zoning:</i>	IND-2 w/SRPOD
	<i>Current Use:</i>	Self-Service Storage (Mini-warehouse)
	<i>Proposed Zoning:</i>	IX-3 w/SRPOD
	<i>Requested Zoning:</i>	IX-5 w/SRPOD
	<i>Future Land Use Designation:</i>	Medium Density Residential
	<i>Area Plan Guidance:</i>	Arena Small Area Plan Blue Ridge District Study
	<i>Urban Form Designation:</i>	N/A

The property owner requests greater height designation of 5 stories. There is no specific policy guidance that would specify height greater than 3 stories. While the parcel may be rezoned in the future to allow additional uses or greater height designation, those decisions should be made as part of the public process of a privately initiated rezoning. This request was received by the Planning Commission after September 30.

Recommendation: Further discussion.

153.	<i>Address:</i>	3628 Tryon Rd
	<i>PIN:</i>	0782972900
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	205 / PC-0012
	<i>Existing Zoning:</i>	CUD NB w/SHOD-1 & SRPOD
	<i>Current Use:</i>	Self-Service Storage (Mini-warehouse)
	<i>Proposed Zoning:</i>	IX-3-CU w/SHOD-1 & SRPOD
	<i>Requested Zoning:</i>	IX-5-CU w/SHOD-1 & SRPOD
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	Mixed-Use Center Frontage on Urban Thoroughfare Frontage on Parkway Corridor

The property owner requests greater height designation of 5 stories. There is no specific policy guidance that would specify height greater than 3 stories. While the parcel may be rezoned in the future to allow additional uses or greater height designation, those decisions should be made as part of the public process of a privately initiated rezoning. This request was received by the Planning Commission after September 30.

Recommendation: Further discussion

C. Staff disagrees with the following Public Comment Change Requests in the Southwest and West CAC areas:

154.	<i>Address:</i>	3200, 3210, 3222, & 3224 S Wilmington St; 0, 3310, 3320, 3400, 3408, 3416, 3421, 3424, & 3510 Olympia Dr; 3551 Grenelle St; 401 & 407 Chapanoke Rd
	<i>PIN:</i>	1702337525, 1702334256, 1702336250, 1702325995; 1702217999, 1702324661, 1702324412, 1702323288, 1702323154, 1702312978, 1702310674, 1702310938, 1702226061; 1702312417; 1702323604, 1702229269
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	24 / GEN-0098 thru -0105, -0107 thru -0111; WEB-15363, -15364, -15365, -15378, -15379, -15682, -15684, -15685
	<i>Existing Zoning:</i>	IND-1, NB, CUD SC
	<i>Current Use:</i>	Retail Sales, Eating Establishments, School, Vehicle Fuel Sales
	<i>Proposed Zoning:</i>	CX-3-PL, CX-3-PL-CU
	<i>Requested Zoning:</i>	NX-3-PL, NX-3-PL-CU
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor (Under Study)
	<i>Urban Form Designation:</i>	Mixed-Use Center Frontage on Urban Thoroughfares Frontage on Transit Emphasis Corridor

The commentor (not the property owner) requests NX- zoning instead of CX- zoning for the parcels in question. Staff considered several possible zoning designations for these parcels. Given the current mix of zoning, developed use as retail, and FLUM designation of Community Mixed Use, CX- zoning was recommended. NX- zoning would reduce the range of allowed uses in the IND-1 and SC zoned areas from what is currently allowed, which the commentor believes would be more in keeping with nearby residential development.

Recommendation: It would be consistent with the Future Land Use Map and reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into comparative districts in the UDO. The parcels should be zoned CX-3-PL and CX-3-PL-CU.

155.	<i>Address:</i>	217, 218, & 221 Maywood Ave; 217 Summit Ave; 1517 S Saunders St
	<i>PIN:</i>	1703411899, 1703421153, 1703411858; 1703421370; 1703411745
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	25 / GEN-0132; GEN-0506
	<i>Existing Zoning:</i>	NB & R-6
	<i>Current Use:</i>	Vacant, Single-Unit Living
	<i>Proposed Zoning:</i>	NX-3-PL
	<i>Requested Zoning:</i>	R-6
	<i>Future Land Use Designation:</i>	Office & Residential Mixed Use
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor (Under Study)
	<i>Urban Form Designation:</i>	Frontage on Transit Emphasis Corridor

The commentor (not the property owner?) requests R-6 zoning. In the current arrangement of split zoning the R-10 area acts as a buffer to the single-family residential lots. NX is the closest comparative base district to the current NB zoning and requires a Neighborhood Transition to residential areas. Any site redevelopment would require a minimum 50-foot setback from adjoining single-family lots-a distance approximating twice the depth of the R-6 areas on the split-zoned lots. The transition requirements for the NX zoning would offer a more robust buffer than the current zoning pattern

Recommendation: It would be consistent with the Future Land Use Map and reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into comparative districts in the UDO. The parcels should be zoned NX-3-PL.

156.	<i>Address:</i>	95, 125, & 137 Bluff St; 120, 124, 128, & 132 Walker St; 1705 S Wilmington St
	<i>PIN:</i>	1703602327, 1703601307, 1703509386; 1703601207, 1703600267, 1703509297, 1703509257; 1703602268
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	33 / GEN-0289
	<i>Existing Zoning:</i>	IND-2 w/SHOD-2
	<i>Current Use:</i>	Vacant, Waste-Related Service
	<i>Proposed Zoning:</i>	IX-3 w/SHOD-2
	<i>Requested Zoning:</i>	IH w/SHOD-2
	<i>Future Land Use Designation:</i>	Regional Mixed Use
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor (Under Study)
	<i>Urban Form Designation:</i>	N/A

The commentor requests IH zoning instead of IX- to preserve a heavy industrial use of the property that has not yet been established. Staff considered both options for these parcels. Current uses on the parcels do not require IH zoning to be conforming and IX- zoning is more in

keeping with the Future Land Use Map designation of Regional Mixed Use. Staff disagrees with the request.

Recommendation: It would be consistent with the Future Land Use Map and reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into a comparative district in the UDO. The parcels should be zoned IX-3 w/SHOD-2.

158.	<i>Address:</i>	3600, 3608, & 3610 S Wilmington St; 475 Tryon Rd
	<i>PIN:</i>	1702312192, 1702301850; 1702310153
	<i>CAC:</i>	Southwest
	<i>Change Request/Comment ID:</i>	122 / GEN-0478 thru 0480
	<i>Existing Zoning:</i>	IND w/SWPOD
	<i>Current Use:</i>	Vehicle Sales/Rental (Billboard); Outdoor Storage
	<i>Proposed Zoning:</i>	IX-3 w/SWPOD
	<i>Requested Zoning:</i>	CX-5/7
	<i>Future Land Use Designation:</i>	Business & Commercial Services
	<i>Area Plan Guidance:</i>	Southern Gateway Corridor (Under Study)
	<i>Urban Form Designation:</i>	Mixed-Use Center
		Frontage on Urban Thoroughfares Frontage on Transit Emphasis Corridor

The property owner requests CX- zoning instead of IX- zoning with greater height designation of 5 or 7 stories. Staff recommended IX- zoning for these parcels as it is the closest comparative district to current zoning and the Future Land Use Map designation of Business & Commercial Services. There is no specific policy guidance that would specify height greater than 3 stories. While the parcel may be rezoned in the future to allow additional uses or greater height designation, those decisions should be made as part of the public process of a privately initiated rezoning. Staff disagrees with the request.

Recommendation: It would be consistent with the Future Land Use Map and reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into the closest comparative district in the UDO. The parcels should be zoned IX-3 w/SWPOD.

159.	<i>Address:</i>	1021 Nowell Rd; 0 Corporate Center Dr
	<i>PIN:</i>	0774842068; 0774844006
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	6 / CC2-0078
	<i>Existing Zoning:</i>	TD
	<i>Current Use:</i>	Single-Unit Living, Vacant
	<i>Proposed Zoning:</i>	RX-3
	<i>Requested Zoning:</i>	CX-3
	<i>Future Land Use Designation:</i>	Office/Research & Development
	<i>Area Plan Guidance:</i>	Arena Small Area Plan
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Urban Thoroughfare Within Half-Mile Transit Buffer

The property owner requests CX- zoning instead of RX – to preserve a currently allowed use that has not yet been established. Adjacent parcels are developed as single- and multi-family residential and proposed to be zoned R-10 and RX-3, respectively. Staff considered a variety of options for these parcels and determined that RX- would be most compatible with existing context.

Recommendation: It would be consistent with the Future Land Use Map and reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into a comparative district in the UDO that is compatible with surrounding uses. The parcels should be zoned RX-3.

160.	<i>Address:</i>	505 Heather Dr; 5301 Western Blvd
	<i>PIN:</i>	0784419012; 0784416081
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	8 / CC3-0086
	<i>Existing Zoning:</i>	R-6
	<i>Current Use:</i>	Single-Unit Living, Vacant
	<i>Proposed Zoning:</i>	R-6
	<i>Requested Zoning:</i>	OX-3
	<i>Future Land Use Designation:</i>	Moderate Density Residential
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	Within Half-Mile Transit Buffer

Residential districts R-1, R-2, R-4, R-6, and R-10 are not proposed to be rezoned as part of the citywide remapping process. As of September 2013 these districts are regulated by the Unified Development Ordinance. Staff has advised property owners with similar requests to file a rezoning petition independent of the UDO remapping effort.

Recommendation: The property should not be rezoned.

161.	<i>Address:</i>	5615 & 5619 Hillsborough St
	<i>PIN:</i>	0784215140, 0784214003
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	51 / GEN-0384, -0422
	<i>Existing Zoning:</i>	NB
	<i>Current Use:</i>	Flex Warehouse, Vehicle Service
	<i>Proposed Zoning:</i>	CX-3-GR
	<i>Requested Zoning:</i>	IX-3
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	Jones Franklin Small Area Study Arena Small Area Plan
	<i>Urban Form Designation:</i>	Transit Oriented District Frontage on Transit Emphasis Corridor Within Half-Mile Transit Buffer

The property owner requests IX- zoning instead of CX- and removal of the frontage designation. The proposed zoning is compatible with established vehicle service and retail uses, is consistent with the Future Land Use Map designation of Community Mixed Use, and reflects Jones Franklin Small Area Study guidance. Property owner is concerned that current development on the site does not satisfy the development standards of the GR frontage, the property would be made non-conforming by application of frontage, and the property would be difficult to redevelop to GR standards. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage. Staff disagrees with the request.

Recommendation: It would be consistent with the Future Land Use Map and reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into a comparative district in the UDO. The parcels should be zoned CX-3-GR.

162.	<i>Address:</i>	5900 Chapel Hill Rd
	<i>PIN:</i>	0784132411
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	70 / WEB-7042
	<i>Existing Zoning:</i>	IND-1
	<i>Current Use:</i>	Vacant (State-Owned)
	<i>Proposed Zoning:</i>	IX-3-PK
	<i>Requested Zoning:</i>	CX-12
	<i>Future Land Use Designation:</i>	Public Facilities
	<i>Area Plan Guidance:</i>	Arena Small Area Plan
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Urban Thoroughfares Within Half-Mile Transit Buffer

The commentor (not the property owner) requests CX- zoning instead of IX- and a greater height designation of 12 stories. Staff proposed IX- zoning for the parcel since it is the closest comparative district to existing zoning. The Arena Small Area Plan offers no specific guidance for height greater than 3 stories and designates the area to the south and west of this parcel as single-family residential. While the parcel may be rezoned in the future to allow additional uses or greater height designation, those decisions should be made as part of the public process of a privately initiated rezoning. Staff disagrees with the request.

Recommendation: It would be consistent with the Future Land Use Map and reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into the closest comparative district in the UDO. The parcel should be zoned IX-3-PK.

163.	<i>Address:</i>	5403, 5605, 5705, 5719, 5801, 5901, 5921, 6001, 6005, 6009, 6011, 6015, 6105, & 6115 Chapel Hill Rd
	<i>PIN:</i>	0784326374, 0784322047, 0784229030, 0784216825, 0784213727, 0784118796, 0784128053, 0784115618, 0784123046, 0784122037, 0784111871, 0784121019, 0784018842, 0784014834
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	94 / WEB-31682
	<i>Existing Zoning:</i>	IND-1
	<i>Current Use:</i>	Flex Warehouse, Asphalt Processing, Office, Outdoor Storage
	<i>Proposed Zoning:</i>	IH / IX-3-PL
	<i>Requested Zoning:</i>	Unclear
	<i>Future Land Use Designation:</i>	Medium Density Residential
	<i>Area Plan Guidance:</i>	Arena Small Area Plan
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Urban Thoroughfares Within Half-Mile Transit Buffer

The commentor (not property owner) requests alternate zoning to IH and IX- to advance implementation of Arena Small Area Plan and Future Land Use Map. Staff evaluated multiple options for this area; the proposed zoning of IX- was chosen because it is the closest comparative district to the existing zoning and would not result in new non-conforming uses. IH was recommended for 5801 Hillsborough Street because of its current use for asphalt processing; a use that would be non-conforming in any other zoning district. Staff does not agree with the request.

Recommendation: While inconsistent with the Future Land Use Map, it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into comparative district in the UDO that do not create new non-conforming uses. The parcels should be zoned IH and IX-3-PL.

164.	<i>Address:</i>	800 & 900 Jones Franklin Rd
	<i>PIN:</i>	0783147726, 0783144438
	<i>CAC:</i>	West
	<i>Change Request/Comment ID:</i>	136 / GEN-0508
	<i>Existing Zoning:</i>	SC w/SHOD-2
	<i>Current Use:</i>	Vacant
	<i>Proposed Zoning:</i>	CX-3 w/SHOD-2
	<i>Requested Zoning:</i>	CX-12 w/SHOD-2
	<i>Future Land Use Designation:</i>	Office/Research & Development
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	N/A

The property owner requests greater height designation of 12 stories. There is no existing context or specific policy guidance that suggests height greater than three stories for these parcels. While these parcels may be rezoned in the future to allow for greater height, that decision should be made as part of the public process of a privately initiated rezoning. Staff disagrees with the request.

Recommendation: While inconsistent with the Future Land Use Map, it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning districts into the closest comparative district in the UDO. The parcels should be zoned CX-3 w/SHOD-2.

D. Staff requests discussion of the following Change Requests, submitted after the Public Comment period:

165.	<i>Address:</i>	2131 Harrod St
	<i>PIN:</i>	1716709996
	<i>CAC:</i>	Atlantic
	<i>Change Request/Comment ID:</i>	210 / PC-0018
	<i>Existing Zoning:</i>	IND-1
	<i>Current Use:</i>	Vehicle Service
	<i>Proposed Zoning:</i>	IX-3-PL
	<i>Requested Zoning:</i>	IX-3
	<i>Future Land Use Designation:</i>	Business & Commercial Services
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	Transit Oriented District Frontage on Urban Thoroughfare Within Half-Mile Transit Buffer

The property owner is concerned that current development on the site does not satisfy the development standards of the PL frontage and that property would be made non-conforming by application of frontage. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to

the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage. Staff disagrees with the request.

Recommendation: The proposed zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into the closest comparative district in the UDO. No change to the map.

166.	<i>Address:</i>	301, 303 Kinsey St; 300 Dupont Cir
	<i>PIN:</i>	1703379838, 1703470813; 1703471757
	<i>CAC:</i>	Central
	<i>Change Request/Comment ID:</i>	217 / PC-0026 thru 0028
	<i>Existing Zoning:</i>	NB / IND-2
	<i>Current Use:</i>	Vacant, Warehouse
	<i>Proposed Zoning:</i>	DX-3 / IX-3-UL
	<i>Requested Zoning:</i>	DX-3
	<i>Future Land Use Designation:</i>	Office & Residential Mixed Use
	<i>Area Plan Guidance:</i>	Downtown Plan Downtown West Small Area Plan
	<i>Urban Form Designation:</i>	Downtown Within Half-Mile Transit Buffer

Property owner requests DX-3 zoning for 300 Dupont Circle based on guidance of the Downtown West Small Area Plan. The Plan identifies this parcel for inclusion in the Downtown Overlay District (DOD) and Business zoning. The DOD and Business zoning district will be made obsolete by the remapping effort; the best translation of that recommendation in the UDO would be rezoning to Downtown Mixed Use (DX). Staff agrees with the requested change to the base district, but recommends that the original frontage designation be applied.

Recommendation: The requested zoning for 300 Dupont Circle is consistent with small area plan guidance of the Comprehensive Plan and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into a district in the UDO. The property should be zoned DX-3-UL.

167.	<i>Address:</i>	807 Clay Street
	<i>PIN:</i>	1704336154
	<i>CAC:</i>	Five Points
	<i>Change Request/Comment ID:</i>	214 / PC-0022
	<i>Existing Zoning:</i>	R-30
	<i>Current Use:</i>	Multi-Unit Living
	<i>Proposed Zoning:</i>	RX-3
	<i>Requested Zoning:</i>	RX-3 (keep staff recommendation-no NCOD)
	<i>Future Land Use Designation:</i>	Moderate Density Residential
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	N/A

Property owner is supportive of staff recommendation for RX-3 zoning.

Recommendation: No action for individual parcel; recommendation to be made as part of Glenwood-Brooklyn Neighborhood discussion.

168.	<i>Address:</i>	829 Washington St; 900 St. Mary's St
	<i>PIN:</i>	1704331517; 1704332305
	<i>CAC:</i>	Five Points
	<i>Change Request/Comment ID:</i>	215 / PC-0023/0024; WEB-29762
	<i>Existing Zoning:</i>	O&I-1
	<i>Current Use:</i>	Athletic Field
	<i>Proposed Zoning:</i>	OX-3 / R-10
	<i>Requested Zoning:</i>	OX-3
	<i>Future Land Use Designation:</i>	Public Facilities
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	N/A

Discussion of 829 Washington Street during the Planning Commission's work sessions on December 2 and 16 prompted the property owner of same to comment on 900 St. Mary's Street, of which they are a joint owner with the City of Raleigh. Wake County Public School System requests that 900 St. Mary's Street be zoned OX-3 instead of R-10.

Recommendation: The requested zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into the closest comparative district in the UDO. The property should be zoned OX-3.

169.	<i>Address:</i>	309 W Millbrook Rd
	<i>PIN:</i>	1706468597
	<i>CAC:</i>	Midtown
	<i>Change Request/Comment ID:</i>	209 / PC-0017
	<i>Existing Zoning:</i>	O&I-1
	<i>Current Use:</i>	Office
	<i>Proposed Zoning:</i>	OX-3-PL
	<i>Requested Zoning:</i>	OX-3
	<i>Future Land Use Designation:</i>	Office & Residential Mixed Use
	<i>Area Plan Guidance:</i>	Six Forks Road Corridor Study
	<i>Urban Form Designation:</i>	Mixed-Use Center Frontage on Urban Thoroughfare

Property owner is concerned that current development on the site does not satisfy the development standards of the PL frontage and that property would be made non-conforming by application of frontage. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify

any issue of non-conformity associated with the application of a frontage. Staff disagrees with the request.

Recommendation: The proposed zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into the closest comparative district in the UDO. No change to the map.

170.	<i>Address:</i>	901 Navaho Drive
	<i>PIN:</i>	1715170038
	<i>CAC:</i>	Midtown
	<i>Change Request/Comment ID:</i>	223 / PC-0049
	<i>Existing Zoning:</i>	CUD R-20 w/SHOD-1 & SHOD-2
	<i>Current Use:</i>	Multi-Unit Living
	<i>Proposed Zoning:</i>	RX-3-CU w/SHOD-1 & SHOD-2
	<i>Requested Zoning:</i>	CX-7 w/SHOD-1 & SHOD-2
	<i>Future Land Use Designation:</i>	Regional Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	City Growth Center Frontage on Parkway Corridor

Property owner requests CX-7 zoning instead of RX-3-CU. The parcel is currently zoned CUD R-20 and the proposed zoning is the closest comparative district in the UDO. While the parcel may be rezoned in the future to allow additional uses or greater height designation, those decisions should be made as part of the public process of a privately initiated rezoning. Staff recommends that legal and enforceable conditions should be retained to maintain continuity between the Part 10 code and the UDO. Staff believes that the zoning conditions are specific enough to merit retention. Those conditions are included at the end of this report for reference.

Recommendation: The proposed zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into the closest comparative district in the UDO. No change to the proposed map.

171.	<i>Address:</i>	6125 Six Forks Rd
	<i>PIN:</i>	1706699894
	<i>CAC:</i>	North
	<i>Change Request/Comment ID:</i>	201 / PC-0001
	<i>Existing Zoning:</i>	CUD NB & CUD SC
	<i>Current Use:</i>	Retail Sales, Outdoor Storage
	<i>Proposed Zoning:</i>	NX-3-PL-CU
	<i>Requested Zoning:</i>	NX-4-PL
	<i>Future Land Use Designation:</i>	Neighborhood Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	N/A

The property owner is requesting additional height and removal of zoning conditions. Existing zoning conditions restrict use and specify a protective yard. There is no specific policy guidance that would specify height greater than 3 stories; sloping topography may allow an additional story to be built on the lower portion of the lot. Staff recommends that legal and enforceable conditions should be retained to maintain continuity between the Part 10 code and the UDO. Staff believes that the conditions are specific enough to merit retention. Current conditions are included at the end of this report for reference.

Recommendation: The proposed zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into a comparative district in the UDO. No change to the proposed map.

172.	<i>Address:</i>	3500 & 3501 Spring Forest Rd
	<i>PIN:</i>	1726366049, 1726366675
	<i>CAC:</i>	North
	<i>Change Request/Comment ID:</i>	212 / PC-0020
	<i>Existing Zoning:</i>	IND-1
	<i>Current Use:</i>	Retail Sales, Church, Indoor Recreation
	<i>Proposed Zoning:</i>	IX-3-PL
	<i>Requested Zoning:</i>	IX-3
	<i>Future Land Use Designation:</i>	Community Mixed Use
	<i>Area Plan Guidance:</i>	N/A
	<i>Urban Form Designation:</i>	City Growth Center (3501) Frontage on Urban Thoroughfare

The property owner is concerned that current development on the site does not satisfy the development standards of the PL frontage and that property would be made non-conforming by application of frontage. During development of recommendations for the citywide remapping, staff identified the need for a non-conformity clause for application of frontage to be added to the Unified Development Ordinance. Staff will be proposing the requisite text change to clarify any issue of non-conformity associated with the application of a frontage. Staff disagrees with the request.

Recommendation: The proposed zoning is consistent with the Future Land Use Map and it would be reasonable and in the public interest to implement the City's Unified Development Ordinance by translating the legacy zoning district into the closest comparative district in the UDO. No change to the map.

173.	<i>Address:</i>	600 New Bern Ave
	<i>PIN:</i>	1713084852
	<i>CAC:</i>	South Central
	<i>Change Request/Comment ID:</i>	226 / PC-0053; GEN-0521
	<i>Existing Zoning:</i>	SC w/NCOD
	<i>Current Use:</i>	Vacant
	<i>Proposed Zoning:</i>	NX-3-GR w/NCOD
	<i>Requested Zoning:</i>	CX-3-GR w/NCOD
	<i>Future Land Use Designation:</i>	Neighborhood Mixed Use
	<i>Area Plan Guidance:</i>	New Bern Avenue Corridor Study Olde East Raleigh Small Area Plan
	<i>Urban Form Designation:</i>	N/A

This property was previously discussed at the December 16, 2014 Planning Commission work session to consider a different request from the property owner. The owner is requesting CX as the base district since it is a close translation of the current Shopping Center (SC) zoning and would continue potential hotel use on the site. The request conflicts with New Bern Avenue Corridor Study and Olde East Raleigh Small Area Plan guidance.

Recommendation: Further discussion.



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September 30, 2014

Bynum Walter
Department of City Planning & Development
One Exchange Plaza, Suite 304
Raleigh, NC 27601

Re: 600 Bilyeu Street (0793-98-3218), 620 Bilyeu Street (0793-88-8192), 715 Nazareth Street (0793-77-2995) and 2401 Crusader Drive (0793-88-1119) (the "Properties")

Dear Bynum:

On behalf of the Roman Catholic Diocese of Raleigh, the owner of the Properties, we are submitting this letter in response to the City's proposed rezoning designation for the Properties.

The City is proposing to rezone the Properties to OX-3-PL. The owner agrees with the base district (OX) and height (-3) designations, but disagrees with the proposed Parking Limited frontage type. The owner disagrees with the proposed Parking Limited frontage type for the following reasons:

1. The Properties are currently zoned with general use zoning districts, so there are no unique zoning conditions applicable to the Properties that support application of the Parking Limited frontage type.
2. The Properties are located within the Mission Valley Area Plan. However, this area plan does not contain any policy guidance that supports application of the Parking Limited frontage type to the Properties.
3. The streets adjoining the Properties – Western Boulevard and Bilyeu Street – are not designated as a Transit Emphasis Corridor or Urban Thoroughfare on the Urban Form Map. Therefore, the Urban Form Map does not support application of the Parking Limited frontage type.

Please feel free to call me should you have any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Birch", is written over the printed name.

Michael Birch

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From: [Walter, Bynum](#)
To: [Rezoning](#)
Subject: Fwd: Remapping Comment re: Roman Catholic Diocese of Raleigh Properties
Date: Tuesday, September 30, 2014 6:37:47 PM
Attachments: [Roman Catholic Diocese of Raleigh Remapping Comment Letter.pdf](#)
[ATT00001.htm](#)
[image001.jpg](#)
[ATT00002.htm](#)

Bynum Walter, AICP
Senior Planner
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
[919-996-2178](tel:919-996-2178) (v); [919-516-2684](tel:919-516-2684) (f)
<http://www.raleighnc.gov>

Begin forwarded message:

From: "Michael Birch" <mbirch@morningstarlawgroup.com>
To: "Walter, Bynum" <Bynum.Walter@raleighnc.gov>
Subject: Remapping Comment re: Roman Catholic Diocese of Raleigh Properties

Bynum,

Please see attached comment letter. Please contact me with any questions.

Thanks,

Michael

[MorningStar-Logo250]

R. Michael Birch, Jr.
Morningstar Law Group
630 Davis Drive, Suite 200
Morrisville, NC 27560
Office: (919) 590-0388
Mobile: (919) 208-9427
mbirch@morningstarlawgroup.com <<mailto:mbirch@morningstarlawgroup.com>>
>
www.morningstarlawgroup.com <<http://www.morningstarlawgroup.com>>

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From: [Walter, Bynum](#)
To: [Michael Birch](#)
Cc: [Rezoning](#)
Subject: RE: Remapping Comment re: Roman Catholic Diocese of Raleigh Properties (GEN-0520)
Date: Thursday, October 09, 2014 9:46:28 AM

Dear Michael –

Thanks for your comment about the proposed rezoning of the Roman Catholic Diocese properties off Western Boulevard.

I've had a chance to discuss this request with other members of the planning staff. Staff agrees with your request to remove the frontage designation from these properties. Your request will be forwarded to the Planning Commission for consideration as part of their review of the citywide remapping.

More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Please let me know if you have questions or need additional information – Bynum

From: Michael Birch [mailto:mbirch@morningstarlawgroup.com]
Sent: Tuesday, September 30, 2014 4:47 PM
To: Walter, Bynum
Subject: Remapping Comment re: Roman Catholic Diocese of Raleigh Properties

Bynum,

Please see attached comment letter. Please contact me with any questions.

Thanks,

Michael



R. Michael Birch, Jr.
Morningstar Law Group
630 Davis Drive, Suite 200
Morrisville, NC 27560
Office: (919) 590-0388
Mobile: (919) 208-9427
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

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GEN-0566

GEN-0566-0570.pdf

-0567

-0568

-0569

-0570

ISABEL WORTHY MATTOX

Attorney at Law

Telephone (919) 828-7171

isabel@mattoxfirm.com

September 29, 2014

Mr. Dan Becker
Urban Design Center
City of Raleigh
Briggs Building, Suite 200
220 Fayetteville Street
Raleigh, NC 27601



Re: 2916, 3000, 3100, 3020 and ~~3020~~ S. Wilmington Street
PINs 1702335897, 1702346225, 1702346005, 1702346427 and 1702335750
3040 3000 3020 2916 3100

Dear Mr. Becker:

As counsel for Anilorac Edge, LLC, owner of the above described property, I write to convey our concerns about the proposed zoning for this property.

The proposed zoning is IX-3, which does not provide the flexibility to permit the range of uses contemplated by the Comprehensive Plan. The Future Land Use Map designates the subject property as Community Mixed Use which contemplates a broad range of commercial and residential uses. CX zoning does not constrain residential uses in the same way that IX does and it is inappropriate to do so on this property. The location of the subject property, which abuts a shopping center and a large residential development would suggest that maximum flexibility should be allowed for residential uses and that uses other than industrial are appropriate and preferable. For example, we believe that a traditional apartment or shopping center development on the subject property would work well, but that vertical mixed use development is unlikely to be feasible on South Wilmington Street in the near future.

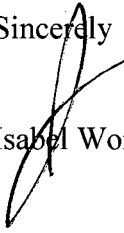
We request that you reconsider the proposed zoning and revise it to CX-3.

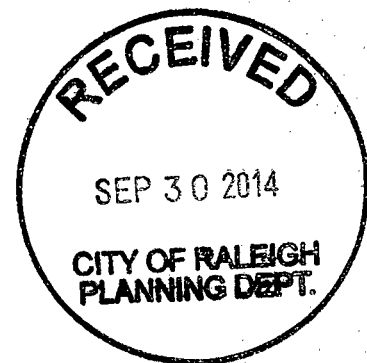
Mr. Dan Becker
September 29, 2014
Page 2

GEN-0566-0570.pdf

We would welcome the opportunity to meet with you or others in the Planning Department to discuss our concerns. Thank you for your consideration.

Sincerely


Isabel Worthy Mattox



PC-0016 PC-0016.pdf

From: abuzooz76 <abuzooz76@aol.com>
To: abuzooz76 <abuzooz76@aol.com>
Date: Mon, Nov 24, 2014 3:24 pm

DOUGH,

I wanted to follow up on your comments about the proposed zoning for property on 1709 lake wheeler road, I had a chance to review you it in the future mapping and see that zoning will reflect

against the current existing use context and entitlements. While this parcel may be rezoned in the future to allow greater height uses and fit the quality business they already there.

Please let me know if you have further questions or need additional information.

Sincerely,

NKHBM LLC
23 GLEN LAUREL ROAD
CLAYTON NC 27527

EMAIL:
abuzooz76@aol.com

919-333-1802



From: [Isabel Mattox](#)
To: [Rezoning](#)
Subject: 900 Jones franklin Road
Date: Tuesday, September 30, 2014 5:38:31 PM

Dear Dan

As Manager and Counsel for Worthy Partners, LLC, owner of 900 Jones Franklin Road, I write to convey our concerns about the proposed rezoning for the property. This property is proposed to be rezoned CX-3. We believe that given its proximity to I-40 and I-440, more height is appropriate and therefore request that it be remapped to CX-12. Thank you, Isabel Mattox

Isabel Worthy Mattox
Attorney at Law
127 West Hargett St., Suite 500
P.O. Box 946
Raleigh, NC 27602
Ph: (919) 828.7171
Fax: (919) 831.1205
isabel@mattoxfirm.com

From: [Ekstrom, Vivian](#)
To: [Pettibone, Carter](#)
Cc: [Rezoning](#)
Subject: RE: Re: 900 Jones Franklin Rd Remapping Comment (GEN-0508)
Date: Tuesday, October 07, 2014 7:16:25 PM

Ms. Mattox,

Thank you again for contacting us about the remapping project. Staff has reviewed your request for greater height (12 stories) for the 900 Jones Franklin Rd property. Since there is no existing context or specific plan guidance recommending this height, staff does not support this request. While these parcels may be rezoned in the future to allow for greater height, that decision should be made as part of the public process of a privately initiated rezoning.

Your request will still be forwarded to the Planning Commission for their consideration. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Thank you again for your feedback, and please let me know if you have any further questions.

Best,
Vivian

Vivian J. Ekstrom, Planner II
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, 2nd Floor | 919.996.2657

From: Ekstrom, Vivian
Sent: Friday, October 03, 2014 4:53 PM
To: isabel@mattoxfirm.com
Cc: Rezoning
Subject: Re: 900 Jones Franklin Rd Remapping Comment (GEN-0508)

Ms. Mattox,

Thank you for your interest in the zoning remapping project. This email acknowledges receipt of your inquiry. We received a significant number of requests at the September 30 deadline. It will take some time for the staff team that is reviewing requests to work through the influx. You can expect to receive a follow-up contact with the staff response no later than October 10.

More information on the remapping project as the Planning Commission begins its review is

available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "[UDO - Unified Development Ordinance](#)." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Thank you,
Vivian

Vivian J. Ekstrom, Planner II
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, 2nd Floor | 919.996.2657

From: [Lizzy Kramer](#)
To: [Rezoning](#)
Subject: PC-0011-5115 Beryl Rd
Date: Monday, October 27, 2014 3:28:41 PM

RE: **Z-27-14** [Property specific zoning change request for three Security Self Storage locations]

Dear Planning Commission:

This letter is to request property specific changes for the proposed zoning of our Security Self Storage Raleigh facilities at the following addresses:

5115 Beryl Road, Raleigh, NC 27606

3628 Tryon Road, Raleigh, NC 27606

3410 Middle Branch Road, Raleigh, NC 27610

The proposed zoning for these locations is IX-3, we are requesting it be changed to IX-5.

Security Self Storage is a locally owned self storage business that is competing directly with regional and national corporations that also offer storage facilities in Raleigh. Our future development plan includes multi-story building additions to our current facilities.

Restricting our zoning to IX-3 will not allow us to expand past 3 stories. Today's market trend for self storage construction is for multi-story facilities in metropolitan areas. We have anticipated this multi-story construction at all of our facilities and IX- 3 would restrict our ability to expand and utilize our sites for their intended use. Numerous multi-story facilities are going up in adjoining towns. Limiting our future expansion to only 3 stories will give our competitors a competitive advantage. Please consider our request.

Sincerely,

Lizzy Kramer

Controller, Security Self Storage

3628 Tryon Road, Ste. A

Raleigh, NC 27606

Lizzy.Kramer@SelfStorageNC.com

(919) 899-3870

From: [Lizzy Kramer](#)
To: [Rezoning](#)
Subject: PC-0012-3628 Tryon Rd
Date: Monday, October 27, 2014 3:28:41 PM

RE: **Z-27-14** [Property specific zoning change request for three Security Self Storage locations]

Dear Planning Commission:

This letter is to request property specific changes for the proposed zoning of our Security Self Storage Raleigh facilities at the following addresses:

5115 Beryl Road, Raleigh, NC 27606

3628 Tryon Road, Raleigh, NC 27606

3410 Middle Branch Road, Raleigh, NC 27610

The proposed zoning for these locations is IX-3, we are requesting it be changed to IX-5.

Security Self Storage is a locally owned self storage business that is competing directly with regional and national corporations that also offer storage facilities in Raleigh. Our future development plan includes multi-story building additions to our current facilities.

Restricting our zoning to IX-3 will not allow us to expand past 3 stories. Today's market trend for self storage construction is for multi-story facilities in metropolitan areas. We have anticipated this multi-story construction at all of our facilities and IX- 3 would restrict our ability to expand and utilize our sites for their intended use. Numerous multi-story facilities are going up in adjoining towns. Limiting our future expansion to only 3 stories will give our competitors a competitive advantage. Please consider our request.

Sincerely,

Lizzy Kramer

Controller, Security Self Storage

3628 Tryon Road, Ste. A

Raleigh, NC 27606

Lizzy.Kramer@SelfStorageNC.com

(919) 899-3870

From: [Anthony McLeod](#)
To: [Rezoning](#)
Subject: 407 Chapanoke Rd
Date: Friday, June 20, 2014 1:45:06 PM

The property at 407 Chapanoke Rd (Pin: 1702229269 000 / International Foods Shopping Center) is currently zoned I (Industrial) and proposed to be CX (Commercial Mixed Use). This zoning would allow uses that do not respect the buffer between this area and the Renaissance Park neighborhood. We would like to see this area zoned NX (Neighborhood Mixed Use) because of the immediate adjacency to the neighborhood.

Thanks so much for your consideration on this matter,

Anthony McLeod
Renaissance Park

From: [Walter, Bynum](#)
To: anthony.mcleod@gmail.com
Subject: 407 Chapanoke Rd (GEN-0098)
Date: Wednesday, June 25, 2014 3:42:39 PM

Dear Anthony McLeod –

Thanks for your comment about the proposed rezoning for 407 Chapanoke Road. This parcel is currently zoned Industrial-1 (IND-1). The current zoning allows a variety of uses that include general manufacturing, wholesaling, warehousing and other industrial uses; indoor and outdoor recreation; landfills; quarrying; transportation terminals; wrecked, dismantled car storage (requires Board of Adjustment action), outdoor storage yards (requires Board of Adjustment action); private penal facility (requires City Council action); no dwellings permitted, except caretaker, parish house.

The proposed zoning is Commercial Mixed Use – 3 story height – Parking Limited frontage (CX-3-PL). The base district, CX-, provides for a variety of residential, retail, service, and commercial uses. While CX- accommodates commercial uses, the inclusion of residential and employment uses are strongly encouraged in order to promote live-work opportunities and mixed use development. The 3 story height designation limits buildings to a 3 story/50 foot height maximum. Parking Limited frontage is intended for areas where access to buildings by automobile is desired, while maintaining some level of walkability.

Given the current use of the site and the designation on the Future Land Use Map of Community Mixed Use, the CX- base district is the most appropriate district definition in the Unified Development Ordinance. Furthermore, this parcel is 14.23 acres in size and therefore exceeds the allowable maximum area of 10 acres in Neighborhood Mixed Use (NX-).

Please let me know if you have further questions or need additional information. Sincerely –

Bynum Walter, AICP
Senior Planner
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2178 (v); 919-516-2684 (f)
<http://www.raleighnc.gov>

From: [Jen McEachran](#)
To: [Rezoning](#)
Subject: UDO Re-mapping Process
Date: Friday, June 20, 2014 3:49:27 PM

Hello,

I'm emailing to address a concern of mine. The property at 407 Chapanoke Rd (Pin: 1702229269 000 / International Foods Shopping Center) is currently zoned I (Industrial) and proposed to be CX (Commercial Mixed Use). This zoning would allow uses that do not respect the buffer between this area and the Renaissance Park neighborhood. We would like to see this area zoned NX (Neighborhood Mixed Use) because of the immediate adjacency to the neighborhood, which holds over 1,000 households.

Thanks so much for your consideration on this matter,

Jen McEachran
Renaissance Park Resident

From: [Delia Murdock](#)
To: [Rezoning](#)
Subject: Re: UDO Re-mapping Process
Date: Friday, June 20, 2014 2:56:42 PM

To whom it may concern:

The property at 407 Chapanoke Rd (Pin: 1702229269 000 / International Foods Shopping Center) is currently zoned I Industrial and proposed to be CX (Commercial Mixed Use). This zoning would allow uses that do not respect the buffer between this area and the Renaissance Park neighborhood. We would like to see this area zoned NX (Neighborhood Mixed Use) because of the immediate adjacency to the neighborhood.

Thanks so much for your consideration on this matter,

Delia Murdock
Homeowner, Renaissance Park

From: [Murdock, Ben](#)
To: [Rezoning](#)
Subject: re: UDO Re-mapping Proc
Date: Friday, June 20, 2014 6:08:47 PM

The property at 407 Chapanoke Rd (Pin: 1702229269 000 / International Foods Shopping Center) is currently zoned I Industrial and

Ben Murdock, CPA | Senior Financial Analyst
Allscripts | 8529 Six Forks Rd | Raleigh, NC | 27615
919.239.7436 | [P](#)
919.800.6896 | [F](#)
ben.murdock@allscripts.com | www.allscripts.com
Welcome to the *new* Allscripts, formed by the merger of Allscripts and Eclipsys

From: [Adam Pierce](#)
To: [Rezoning](#)
Subject: 407 Chapanoke Rd. - International Foods Shopping Center
Date: Friday, June 20, 2014 2:45:32 PM

I am a homeowner and resident of Renaissance Park in Raleigh. The above location is right next door, and is currently zoned I Industrial, proposed CX. My neighbors and I all feel that this shopping center would more appropriately be zoned as NX. The CX zoning would allow uses that do not respect the buffer between this area and our neighborhood.

Thank you for your consideration in this matter.

Adam Pierce

From: [Jeanine Bradley](#)
To: [Rezoning](#)
Subject: UDO Re-Mapping Pricwsa
Date: Friday, June 20, 2014 2:22:03 PM

To whom it may concern,

The property at 407 Chapanoke Rd (Pin: 1702229269 000 / International Foods Shopping Center) is currently zoned I Industrial and proposed to be CX (Commercial Mixed Use). This zoning would allow uses that do not respect the buffer between this area and the Renaissance Park neighborhood. We would like to see this area zoned NX (Neighborhood Mixed Use) because of the immediate adjacency to the neighborhood.

Thanks so much for your consideration on this matter,

Jeanine and Mike Bradley

Sent from my iPhone

From: [Salmon, Jason](#)
To: [Rezoning](#)
Subject: UDO Re-mapping Process
Date: Friday, June 20, 2014 2:34:25 PM

To whom it may concern,

The property at 407 Chapanoke Rd (Pin: 1702229269 000 / International Foods Shopping Center) is currently zoned I Industrial and proposed to be CX (Commercial Mixed Use). This zoning would allow development that do not respect the buffer between this area and the Renaissance Park neighborhood. We would like to see this area zoned NX (Neighborhood Mixed Use) because of the close proximity to the neighborhood.

Thanks so much for your consideration on this matter,

Maurice Salmon
Renaissance Park

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From: [Chris Kiec](#)
To: [Rezoning](#)
Subject: Pawn Shop
Date: Friday, June 20, 2014 10:11:51 PM

The property at 407 Chapanoke Rd (Pin: 1702229269 000 / International Foods Shopping Center) is currently zoned I Industrial and proposed to be CX (Commercial Mixed Use). This zoning would allow uses that do not respect the buffer between this area and the Renaissance Park neighborhood. We would like to see this area zoned NX (Neighborhood Mixed Use) because of the immediate adjacency to the neighborhood.

Thanks so much for your consideration on this matter,
Chris Kiec
Renaissance Park

From: [Nicholas Thorpe](#)
To: [Rezoning](#)
Subject: UDO re-mapping/process
Date: Friday, June 20, 2014 1:48:06 PM

The property at 407 Chapanoke Rd (Pin: 1702229269 000 / International Foods Shopping Center) is currently zoned I Industrial and proposed to be CX (Commercial Mixed Use). This zoning would allow uses that do not respect the buffer between this area and the Renaissance Park neighborhood. We would like to see this area zoned NX (Neighborhood Mixed Use) because of the immediate adjacency to the neighborhood.

Thanks so much for your consideration on this matter,

Nick Thorpe
Renaissance Park

From: [Molly Shields](#)
To: [Rezoning](#)
Subject: UDO Re-mapping process
Date: Sunday, June 22, 2014 9:27:49 AM

Rezoning@raleighnc.gov - re: UDO Re-mapping Process

Hello,

The property at 407 Chapanoke Rd (Pin: [1702229269 000](#) / International Foods Shopping Center) is currently zoned I Industrial and proposed to be CX (Commercial Mixed Use). This zoning would allow uses that do not respect the buffer between this area and the Renaissance Park neighborhood. We would like to see this area zoned NX (Neighborhood Mixed Use) because of the immediate adjacency to the neighborhood.

Thanks so much for your consideration on this matter.

Best regards,
Molly & William Shields
Renaissance Park homeowners
1112 Formal Garden Way

From: Southralcap@aol.com
To: [Rezoning](#)
Cc: mildredflynn42@yahoo.com
Subject: changes proposed for Caraleigh neighborhood
Date: Tuesday, September 30, 2014 4:56:33 PM

Several years ago I, as chair of SWCAC, attended and spoke for some time at a UDO rezoning meeting in Council chambers. If Mitchell Silver still were in Raleigh, he would confirm that. That day when the meeting was over, I left with the understanding that the east side of South Saunders Street from southeast corner of Summit Avenue to the northeast corner of South Saunders and Gilbert Streets would remain R-6. Sadly what a joke on me! Now City of Raleigh staff (?) has encroached on the residential properties along that east side of South Saunders and changed to a more commercial zoning in the new UDO mapping.

I PROTEST and make the following request regarding the east side of South Saunders Street based on its history and potential. When S. Saunders Street was widened, the Caraleigh neighborhood area was split in two. On the east side of S. Saunders Street, the neighbors kept their sense of community despite having the Quonset hut car lot (which I think was grand fathered in as were the commercial lots north of Prospect Avenue along the east side of the "new" street and adjacent to the cemetery). There was nothing we could do to prevent the Prospect/S. Saunders corner from becoming a car lot because of city regulations at that time. Our only recourse, because of those city regulations, was to put restrictions that would make that business blend as much as possible with the neighborhood.

The Caraleigh neighborhood needs to be preserved as solid workforce housing. Bill Dumont, who won an award for being an outstanding good landlord, will affirm that the Caraleigh neighborhood is a vibrant, well-functioning neighborhood. Otherwise, he would not continue to buy houses there, upgrade them and rent to a variety of tenants - including college students and young professionals. He participates in some of the community watch causes because he believes in that neighborhood.

If the City of Raleigh chooses to make everything along the east side of S. Saunders Street between Summit Avenue and Gilbert Street business/commercial, the City and its Planning Staff is choosing to destroy a good, cohesive workforce neighborhood close to downtown. That would be a sin in my opinion. I know Greg Warren and had I asked him to write a letter of support for my request, I know he would not hesitate to do so because he, too, believes in workforce housing near the downtown area.

I would also add that when we were questioned by design professionals (I don't remember their name, but Thomas could tell me if he were well) as discussions began on what to do with the Dix property, I told them that turning the Dix property into a park would make the land between Lake Wheeler Road and South Saunders Street extremely valuable property for a variety of development projects. I still strongly believe that as a Raleigh resident since 1959.

So...I would say to you: let the west side of South Saunders Street be the commercial side and let the east side of South Saunders Street stay residential between Summit Avenue and Gilbert Street. Raleigh needs strong, affordable communities near downtown. Let the east side of South Saunders Street reflect that the City of Raleigh and its planners also believe that it is important to keep and provide affordable housing so close to downtown.

Sincerely,

Mary Belle Pate
 SWCAC chair for 30+ years

From: [Rezoning](#)
To: [Nancy Wall](#)
Subject: RE: 1705 S. Wilmington St. [GEN-0289]
Date: Monday, August 18, 2014 5:22:21 PM

Dear Ms. Wall—

The review team discussed your follow-up clarification, and staff continues to believe that the IX designation represents the best zoning district exchange for these properties. This is based upon the existing context, parcel size, current use of properties in the subject and surrounding area, and proximity of residential uses.

Please be assured that your comments will be forwarded to the Planning Commission as noted in my initial email response below.

Regards,

--

Dan Becker, Division Manager
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Ste 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2632 (v); 919-516-2684 (f)
<http://www.raleighnc.gov>

From: Rezoning
Sent: Thursday, August 07, 2014 2:04 PM
To: Nancy Wall
Subject: RE: 1705 S. Wilmington St. [GEN-0289]

Thank you for the clarification. The team's analysis was performed within the boundaries of the area that you requested be evaluated. I will bring this clarification to the team for further discussion at its next meeting on August 13 and will follow-up with you after that meeting.

Regards,

--

Dan Becker, Division Manager
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Ste 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2632 (v); 919-516-2684 (f)
<http://www.raleighnc.gov>

From: Nancy Wall [<mailto:nancy@wallawnc.com>]
Sent: Wednesday, August 06, 2014 9:32 PM
To: Rezoning

Cc: Pettibone, Carter

Subject: Re: 1705 S. Wilmington St. [GEN-0289]

Thanks for the update. However, there are no residential homes on the property owned by Raleigh Reclamation, so there will be no nonconformity if it is zoned heavy industrial. This is merely a request to keep all the property that is owned by Raleigh Reclamation in a zoning district comparable with the current zoning. Please reconsider since there are no residences on my client's property and please forward this request to the next commission as stated below.

Thank you,
Nancy

Sent from my iPhone,

On Aug 5, 2014, at 4:39 PM, Rezoning <Rezoning@raleighnc.gov> wrote:

Dear Nancy Wall—

I am responding on behalf of Carter Pettibone regarding your remapping inquiry. Carter is out on leave until September 15.

Carter brought to the internal staff review team your request that properties bounded by Bluff St, S Wilmington St, Walker St, and PIN 1703501032 be zoned Heavy Industrial (IH-) instead of Industrial Mixed Use (IX-). After reviewing the request, staff does not support the request to amend the proposed zoning to IH-3 for these properties. Following is the rationale:

In developing the draft zoning map, staff used a set of guiding principles and documents in selecting the proposed UDO zoning districts. Using this guidance staff was charged with finding the closest or most appropriate match in the transition from old to new zoning districts, while minimizing nonconformities of existing uses with the proposed zoning. This area contains a number of residences. Residential uses are prohibited in the Heavy Industrial district. To zone these properties IH-3 would create a number of serious nonconformities. Accordingly, staff cannot support your request.

While staff does not support your request, we will forward it to the City's Planning Commission for its consideration. We will be collecting and documenting all comments on the proposed draft zoning map until September 30. Staff will then develop a revised draft map for the Planning Commission's review, which begins October 14.

Following the review and recommendation of the Planning Commission, a further revised draft map will be submitted to City Council for review and approval. There are opportunities for further public comment during these stages. You may wish to sign up to receive email updates on the UDO mapping process if you haven't done so already. You can sign up at www.raleighudo.us. Just follow the link near the top of the

page in the orange "Subscribe" box for MyRaleigh Subscriptions. You can also visit www.raleighudo.us for more information on the remapping initiative, guidance documentation, common zoning district exchanges, and the review and approval process.

Regards,

--

Dan Becker, Division Manager
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Ste 300 (27601)
PO Box 590, Raleigh NC, 27602
919-996-2632 (v); 919-516-2684 (f)
<http://www.raleighnc.gov>

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From: [Kyle White](#)
To: [Rezoning](#)
Subject: Bannister Properties, LLC - Rezoning Request - New UDO
Date: Monday, September 29, 2014 11:07:14 AM
Attachments: [COR TRYON ROAD \(ZONING REQUEST\)2.pdf.pdf](#)

To whom it concerns:

Please find attached a letter from Bannister Properties, LLC. This letter requests that you consider "CX Designation" for our property located at Tryon Road & South Wilmington Street. However, if this or any other proposed change would affect the current use of the property, we ask that you contact us for further discussions on this matter. Again, thank you for your consideration and we look forward to hearing from you.

Thanks,

Kyle White
Bannister Properties, LLC
919-422-8840 (m)
919-779-1523 (w)
Kylebp4@bellsouth.net

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.2247 / Virus Database: 4031/7775 - Release Date: 09/26/14

GEN-0478-0480.pdf

BANNISTER PROPERTIES, LLC
P.O. BOX 769, GARNER, NC 27529

September 25, 2014

Remapping Raleigh
P.O. Box 590
Raleigh, NC 27602

Re: Wake County Parcel PIN #'s
1702 30 1850
1702 31 0153
1702 31 2192

Dear Sir or Madam:

On behalf of Bannister Properties LLC the owner of the captioned parcels/land area I request reconsideration of the proposed IX-3 zoning for this area. **We believe that consideration should be given for a CX designation for the entire area or most certainly all of the frontage on Tryon Road. We also request that intensity level should be moved upward from the proposed "3" to at least a "5" or "7".**

Our basis for this request includes:

- The properties front on major/arterial thoroughfares that are supportive of bus transit;
- The properties are proximate to a rail line which could support commuter services at some point in the future;
- The properties across both Tryon Road and South Wilmington Street are all Commercial;
- The historic use of the subject parcels/land area has been for retail/commercial uses and not Light Industrial as zoned.

As we understand the various districts in the new UDO we believe that these changes would:

- more closely reflect the current fabric of development adjacent to our total land area both in Raleigh and in Garner;
- provide an enhanced opportunity to support both current and future transit;
- provide the opportunity for more flexibility regarding the future re-use of the property area;
- better accommodate the re-use of the existing frontage parcels on Tryon Road which actually total four (4) separate recorded parcels instead of the two (2) and portion of a third that are indicated on the GIS map;
- result in a more effective use of existing infrastructure; and
- provide an improved opportunity to achieve the goals of the new plan.

Further, our land area does not have any residential neighborhoods abutting it. Thus to us it is a prime location for higher buildings and related residential densities and non-residential intensities. GEN-0478-0480.pdf

NOTE: Since, this request in zoning designation will most likely effect future development, we want to ensure that current permissible uses will not be impacted. As you consider our request, if there is any possibility that changes might impact the current use of this property as it has been used the past 30 + years, please contact me at:

**Bannister Properties, LLC
P.O. Box 769
Garner, NC 27529**

**919-779-1523 (w)
919-422-3023 (m)
Kylebp4@bellsouth.net**

Thank you for your prompt attention to this request. We look forward to hearing from you and receiving the improved conditions that would result from the application of our proposal.

Sincerely

A handwritten signature in black ink that reads "Kyle White". The signature is stylized with a large, bold "K" and "W".

Kyle White, Manager

From: rezoning@raleighnc.gov
To: jopaumier@earthlink.net
Subject: City of Raleigh Feedback Ref #31682
Date: Monday, September 22, 2014 11:19:35 PM

Thanks for your feedback on the draft rezoning map. We appreciate your help with this process and will respond to you as soon as we can (generally within 2 business days).

Feedback Received September 22nd 2014, 11:19 pm

Reference #: 31682

Location: 5801 CHAPEL HILL RD

Comment Type: Comment about Proposed Zoning District

Comment: Comment also references parcels east and west of this point. The Comprehensive Plan calls for redevelopment to be largely "multi-family interspersed with a dense grid of public streets to create a village atmosphere." See Policy AP-A 19 and AP-A 20. The initial Future Land Use Map left the area as blank. The Jones Franklin/Western/Hillsborough Small Area Study and current FLUM identifies the area for medium-density residential. A light rail stop and transit hub are planned. In addition, south of the tracks three bus services intersect: CAT, TTA, and CTran, making this area a crossroads of multi-modal transportation. It is not uncommon to see all three bus services in the area within minutes of each other. The remapping should follow the current FLUM and the results of the JF/W/H Small area Plan and not as industrial.

Thanks for your time,

City of Raleigh Remapping Team

Email: rezoning@raleighnc.gov

Web: www.RaleighUDO.us

Phone: 919.996.6363 (8am-5pm, Mon-Fri)

From: [Pettibone, Carter](#)
To: jopaumier@earthlink.net
Cc: [Rezoning](#)
Subject: UDO Remapping Comment #WEB-31682 - 5801 Chapel Hill Road
Date: Friday, September 26, 2014 11:10:22 AM

Mr. Paumier,

Thank you for your comments regarding the proposed UDO zoning for properties in the vicinity of 5801 Chapel Hill Road. You are correct with your Comp Plan and transit assessment of the area.

Two of the primary guiding principles Staff used in developing the draft UDO zoning map were to maintain and enhance existing property values, as well as having the new zoning map reflect the uses on the ground and avoid the creation of nonconforming land uses. Using this guidance, it Staff used the existing industrial type land uses and Industrial-1 zoning in selecting the proposed districts, Industrial Mixed Use – 3 stories (IX-3), and Heavy Industrial (IH) for the concrete plant.

In terms of implementing the Comprehensive Plan FLUM with the UDO remapping, we generally did so only where there was no conflict with the existing use of the property and the character of the area.

Though Staff is not in support your request, we will forward your comments and request to the Planning Commission for its consideration. Planning Commission will begin its review October 14. If you have not already, please visit www.raleighudo.us and sign up to receive communications for the UDO (link is at the top right). You will be able to learn more about when these comments and properties will be discussed at the Planning Commission.

You can also visit www.raleighudo.us for more information on the guidance Staff used in developing the draft UDO zoning map. It is also located to the right of the page.

Please let me know if you have any questions.

Carter Pettibone, AICP

Urban Planner
Raleigh Urban Design Center
An Office of the Planning & Development Department
220 Fayetteville Street, Suite 200, Raleigh, NC 27601
919.996.4643
carter.pettibone@raleighnc.gov
www.raleighnc.gov/urbandesign

From: [Dilip Gandhi](#)
To: [Rezoning](#)
Subject: Proposed Rezoning at 4100 & 4020 Tryon Road, Raleigh, NC 27606
Date: Tuesday, September 30, 2014 2:37:18 PM

City Of Raleigh:

Gandhi At Tryon Road, LLC and Tryon Square Plaza, LLC are the owners of Lots 1 and 2, the parcels at 4100 and 4020 Tryon Road respectively. We own both properties but the ownership is in two separate legal entities.

It is our understanding that the proposed Industrial Mixed Use zoning will allow a mixture of commercial, retail and mercantile development and residential development is encouraged by the City of Raleigh, but not required.

We request that the Frontage designation be removed from both parcels, since Tryon Road is a multi-lane divided road and the PL designation could adversely impact the types of development on the parcels. Based on the property being bordered by Tryon Road, Lake Dam Road and Interstate 40, the potential for off-site pedestrian traffic is very low.

We also request the height restriction be changed to 4-story, 60-foot height. Since there is SHOD yard along Interstate I-40 that would act as a visual buffer.

Respectfully,

Dilip Gandhi

Member/Manager

Gandhi At Tryon Road, LLC

9201 Leesville Road, Suite # 201

Raleigh, NC 27613

Office: (919) 781-5269 Ext. 302

Cell: (919) 810-5122

E Mail: gandhi10@msn.com

Z-27-14 City-Wide Remapping - Owner Requests/Comments

Atlantic Partner, LLC
2131 Harrod Street
Raleigh, NC 27604
PIN: 1716709996

City Proposal: IX-3-PL Owner Request: IX-3

Rationale: Owner concerns regarding proposed frontage element creating a non-conforming status.



Michael Birch | Attorney
630 Davis Drive, Suite 200
Morrisville, NC 27560

919-590-0388
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

December 15, 2014

Bynum Walter
Department of City Planning & Development
One Exchange Plaza, Suite 304
Raleigh, NC 27601

Re: 301 Kinsey Street (1703-37-9838)
303 Kinsey Street (1703-47-0813)
300 DuPont Circle (1703-47-1757)

Dear Bynum:

On behalf of Fonville Ventures II LLC, the owner of the above-referenced properties, we are submitting this letter in response to the City's proposed rezoning designation for the properties.

The property located at 301 Kinsey Street is currently split-zoned Neighborhood Business and Industrial-2. The City is proposing to rezone this property to DX-3. The property owner agrees with this designation.

The property located at 303 Kinsey Street is currently split-zoned Neighborhood Business and Industrial-2, with a small portion zoned Residential-10. The City is proposing to rezone this property to DX-3. The property owner agrees with this designation.

The property located at 300 DuPont Circle is currently zoned Industrial-2. The City is proposing to rezone this property to IX-3-UL. The property owner disagrees with this proposal, and requests that the property be rezoned to DX-3, consistent with the two adjacent properties also owned by Fonville Ventures II LLC. The DX district is the closest comparative district that is also consistent with the Downtown West Gateway Area Plan guidance for this property. With regard to the proposed frontage designation of Urban Limited, the property is currently vacant such that there is no structure in place driving this designation unlike surrounding properties to the east. Also, given the property's odd shape and limited frontage on DuPont Circle, it would be difficult to comply with many of the frontage standards. Therefore, we request that the frontage designation be removed and the property be rezoned to DX-3.

Please feel free to call me should you have any questions or comments.

Sincerely,

Michael Birch

Michael Birch

From: [Hill, Doug](#)
To: [Rezoning](#)
Subject: PC-0022-807 Clay St
Date: Monday, December 01, 2014 9:22:06 AM

Bynum—

Here's the note.

Doug Hill, AICP
Department of City Planning
One Exchange Plaza – Suite 204
PO Box 590
Raleigh, NC 27202-0590
Phone: (919) 996-2622
Email: Doug.Hill@raleighnc.gov
Website: www.raleighnc.gov

From: James H Johnson/FS/VCU [mailto:johnsonj@vcu.edu]
Sent: Saturday, November 29, 2014 1:59 PM
To: Hill, Doug
Subject: November 2 Planning Commission Agenda: Rezoning 807 Clay

Mr. Hill,

I just discovered that the Glenwood/Brooklyn neighborhood association has made some proposals regarding our property at 807 Clay! We were unaware that the Glenwood/Brooklyn association viewed this property as part of their neighborhood, and we were never informed of any meetings of the association, or of their proposal regarding OUR property! As far as we are concerned, the conversion to RX-3 is appropriate, and we want no part of any overlays or other limitations, particularly an R-10 zoning! I note that the staff of the planning commission recommended against the Glenwood/Brooklyn Neighborhood Association proposals. Being unfamiliar with the workings of this commission, I am wondering if this position is likely to prevail, or be to be heavily influenced by (neighborhood) citizens appearing at the meeting? As I mentioned in a previous email, I cannot attend the meeting Tuesday. Would you advise that it would be crucial for me to engage representation to attend? Thank you for any advice you may have. Jim Johnson

From: [Walter, Bynum](#)
To: [Rezoning](#)
Subject: PC-0023 & -0024- 829 Washington Street & 900 St Marys Street
Date: Monday, December 08, 2014 5:19:46 PM

From: Betty Parker [mailto:bparker@wcpss.net]
Sent: Monday, December 08, 2014 4:21 PM
To: Pettibone, Carter
Cc: Walter, Bynum; Margaret Sutter
Subject: Re: WCPSS property at 829 Washington Street and 900 St. Mary's Street

Hi Carter - I'm sorry we missed each other last week. Bynum Walter brought me up to speed on the options for rezoning. I prefer and support Staff's initial proposal for UDO zoning of Office Mixed Use, 3 Stories (OX-3), which is the closest match for our current Office and Institutional-1 (O&I-1), for the property at 829 Washington Street (PIN 1704331517) and the adjacent property at 900 St. Mary's Street (PIN 1704332305).

If you have any questions, or if I may be of service, please do not hesitate to contact me.

Best regards,
Betty L. Parker
Senior Director, Real Estate Services
Wake County Public Schools System
1429 Rock Quarry Road, Suite 116
Raleigh, NC 27610
Tel. 919-664-5601
Fax. 919-856-8288

From: "Pettibone, Carter" <Carter.Pettibone@raleighnc.gov>
To: Betty Parker/PlanningConstruction/WCPSS@STAFF
Date: 11/25/2014 03:53 PM
Subject: WCPSS property at 829 Washington Street

Good afternoon,

My name is Carter Pettibone and I am with the Raleigh Planning Department. As you're probably aware, the City is in the process of a city-wide rezoning process to implement our new UDO. This remapping affects approximately 30% of the City's jurisdiction. In developing the new zoning map, Staff tried to choose new UDO zoning districts that most closely matched existing zoning, use and entitlements. Staff published the draft zoning map in May with a deadline for September 30 deadline for public comment. We are now going through Planning Commission review, which we hope will be wrapped up by spring or summer of 2015. It will then go on to City Council for review and decision.

One request we received was to consider residential (R-10) zoning for the property at 829 Washington Street (PIN 1704331517) . This property is one of many that make up Fletcher Park, containing a portion of the athletic fields . According to Wake County tax records the school system owns the property. It is my understanding there is a joint use agreement between the school system and the City to use it.

Staff's initial proposal for UDO zoning was Office Mixed Use, 3 Stories (OX-3), which is typically the closest match for Office and Institutional-1 (O&I-1), the current zoning. Following Staff's desire to rezone City parks with non-residential zoning to residential zoning matching surrounding neighborhoods, Staff proposed R-10 zoning for the rest of the park properties. These are City owned parcels, but Staff was hesitant to include 829 Washington since it was not owned by the City. We have since received the request to rezone it to R-10. Staff sees this as an acceptable alternative property due to its use as part of Fletcher Park.

The Planning Commission is scheduled to take up this issue at its next UDO review session on Tuesday, December 2. We wanted to make sure WCPSS had an opportunity to weigh in. You are welcome to attend the meeting on the 2nd. You can also contact me directly to discuss. While Staff agrees that R-10 is acceptable, we respect the wishes of the property owner and want to make sure you are part of the discussion.

Please contact me at your earliest convenience to discuss. More information on the UDO remapping can be found at www.raleighudo.us.

Thank you.

Carter Pettibone, AICP

Urban Planner
Raleigh Urban Design Center
An Office of the Planning & Development Department
220 Fayetteville Street, Suite 200, Raleigh, NC 27601
919.996.4643

carter.pettibone@raleighnc.gov
www.raleighnc.gov/urbandesign

“E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized City or Law Enforcement official.”

Z-27-14 City-Wide Remapping - Owner Requests/Comments

Link Properties

309 W. Millbrook Rd. Suite 101 (office condo)

Raleigh, NC 27609

PIN: 1706468597

City Proposal: OX-3-PL Owner Request: OX-3

Rationale: Owner concerns regarding proposed frontage element creating a non-conforming status.



Michael Birch | Attorney
630 Davis Drive, Suite 200
Morrisville, NC 27560

919-590-0388
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

December 16, 2014

Bynum Walter
Department of City Planning & Development
One Exchange Plaza, Suite 304
Raleigh, NC 27601

Re: Remapping of 901 Navaho Drive (1715-17-0038) (the "Property")

Dear Bynum:

On behalf of the owner of the Property, we are submitting this letter in response to the City's proposed rezoning designation for the Property. The City is proposing to remap the Property to RX-3-CU. The owner disagrees with this proposal.

We are requesting that the Property be remapped with to CX-7, based on the following:

1. The Property is designated Regional Mixed Used on the Future Land Use Map, and the proposed CX district is consistent with this Future Land Use Map guidance.
2. The Property is located within the core area of a City Growth Center as shown on the Urban Form Map. Table LU-2 "Recommended Height Designations" recommends a height of up to twenty stories for property designated Regional Mixed Use and located in a "core/transit" area, and the proposed seven story height limit is consistent with this guidance.
3. The Property is adjacent to undeveloped and developed parcels of land which are proposed to be rezoned to CX-7; therefore, the request for seven stories in height is compatible with the surrounding built environment and remapping proposals.

Please feel free to call me should you have any questions or comments.

Sincerely,

Michael Birch

Michael Birch



JERRY TURNER & ASSOCIATES, INC.

Landscape Architecture Land Planning Environmental Design

PC-0001

PC-0001.pdf

Principals:

Jerry M. Turner, FASLA

William B. Hood, ASLA

Lynda P. Harris, ASLA

905 Jones Franklin Road

Raleigh, North Carolina 27606

September 30, 2014

City of Raleigh Planning Commission
Remapping Raleigh
P.O. Box 590
Raleigh, NC 27602

RE: ID 6125 Six Forks Road
Z-98-95

We represent the property owner at the above identified location. I have worked with the property owner of this site for almost four decades. After reviewing, the City's rezoning proposal for the property at Lynn Road and Six Forks Road we would like to make the following observations and recommendations.

Suitability of the proposed rezoning NX-3-PL-CU

We agree that the NX – Neighborhood Mixed Use is the appropriate land use designation for zoning and to be compatible with your current options under existing zoning. The parking with limited frontage (PL) is likewise appropriate for this setting.

We recommend that a four story limit be substituted for the three story limit being proposed. We are suggesting this increase due to the site's topography which slopes severely from front to back. In the future a building could be constructed close to Lynn Road and have a lower entrance or parking underneath; increasing the limit to four stories would eliminate any interpretations of floors above or below grade etc.

The proposed rezoning also proposes to carry forth the existing conditions that were approved under the old City code. We believe these conditions should be abandoned because the new UDO adequately addresses the concerns to which the original conditions speak. In addition, other nearby properties have been zoned commercial, and the comprehensive plan has been updated to reflect higher intensity uses for all four intersection quadrants. The following is a list of the existing conditions and our reasons for eliminating them.

Z-98-95 Conditions (11-29-95)

Neighborhood Business CUD Tract

1. The following uses shall not be permitted on this tract; bar, night club, lounge, tavern; automotive service and repair facility; drive-through restaurants; hotel/motel; movie theater; emergency shelter type A or B; landfill; manufacturing; mini-warehouse storage facility; nor any special uses in the Neighborhood Business District which presently require City Council or Board of Adjustment approval.

Response: Most of the uses originally prohibited by the conditions are not permitted in the NX district. The permitted uses in the new NX district are appropriate for the area. In this

JERRY TURNER & ASSOCIATES, INC.

case, eliminating the use conditions would not represent an up- or down-zoning because almost all are addressed in the UDO itself.

The area itself, and the future land use proposed for this area, have changed as well. A parcel across the street has been rezoned to a similar commercial classification, and the comprehensive plan has also been updated since the earlier rezoning. The COR 2030 Comprehensive Plan designates this quadrant, and two of the other three quadrants at this intersection as Neighborhood Mixed Use, which would typically "include corner stores or convenience stores, restaurants, bakeries, supermarkets (other than super-stores/centers), drug stores, dry cleaners, video stores, small professional offices, retail banking, and similar uses that serve the immediately surrounding neighborhood." The fourth quadrant is designated as Office and residential mixed use.

The permitted uses in the new Neighborhood Mixed Use are consistent with the comprehensive plan. The new Neighborhood Transition zones, plus new landscaping and screening requirements, will further protect nearby residential areas from permitted uses within the Neighborhood Mixed Use district, as further discussed below.

2. Access to the site shall be limited to the existing driveways; one on Six Forks Road and one on Lynn Road.

Response: This condition is not needed; currently there is an entrance on Six Forks Road and on Lynn Road. The City and NCDOT would have to permit any additional driveways at the time of a site plan. These are major thoroughfares and additional access could not be justified.

3. A 30 foot Type B Transitional use protective yard (existing) shall be provided along the south property line adjacent to Northcliff subdivision, lots 1-11 identified by the following PIN Numbers: 1706.07-79-2541, 1706.07-79-1507, 1706.07-79-0631, 1706.07-69-9665, 1706.07-69-9700, 1706.07-69-8734, 1706.07-69-7778, 1706.07-69-7803, 1706.07-69-6837, 1706.07-79-3419, 1706.07-79-1573.

Response: We believe the new UDO goes further than this condition to provide transitions and protection to adjacent properties to the rear. The UDO not only provides distance buffers and landscaping but also limits uses and graduates massing away from the existing homes.

Shopping Center CUD Tract

The uses permitted on this tract shall be limited to vehicular parking and retail sales (convenience, general, and personal service) and eating establishments (no drive-thru) outdoors or in an accessory structure.

Response: This condition is no longer needed since the tract will no longer be zoned Shopping Center and is no longer split-zoned.

Neighborhood Business CUD Tract and Shopping Center CUD Tract

Any increased storm water runoff resulting from an increase in impervious surface on

JERRY TURNER & ASSOCIATES, INC.

site in excess of ten (10) percent above the presently existing impervious surface (3.1 ac) shall be captured, controlled and released according to CR 7107.

Response: This condition is archaic and has been made obsolete by the newer storm water regulations

In conclusion, we recommend that the City revise its proposed rezoning Category to NX-4-PL; which addresses the topography of this site and eliminate the existing zoning conditions.

We believe this is a better fit considering the updated Comprehensive Plan changes in the area, and the nature of the site itself. Most importantly the new UDO provides almost identical restrictions and protections, and in some cases stronger protections. Eliminating the conditions would not represent up-zoning the site, does away with references to obsolete regulations, and avoids unnecessary redundancies.

Please do not hesitate to contact me if you have any questions.

Sincerely,

JERRY TURNER AND ASSOCIATES, INC.



William B. Hood, RLA, ASLA
Vice President

WBH:ktr

Cc: Rake and Hoe Garden Venture, LLC

ORDINANCE (1995) 791 ZC 379
Effective: December 5, 1995

Z-98-95 Lynn Road, south side, at its western intersection with Six Forks Road, being Map 1706.07, Block 79, Parcels 0853 and 1939, and Map 1707.19, Block 60, Parcel 9055. Approximately 4.9 acres rezoned to Neighborhood Business Conditional Use and Shopping Center Conditional Use.

Conditions: (11/29/95)

Neighborhood Business CUD Tract

1. The following uses shall not be permitted on this tract; bar, night club, lounge, tavern; automotive service and repair facility; drive-through restaurants; hotel/motel; movie theater; emergency shelter type A or B; landfill; manufacturing; mini-warehouse storage facility; nor any special uses in the Neighborhood Business District which presently require City Council or Board of Adjustment approval.

2. Access to the site shall be limited to the existing driveways; one on Six Forks Road and one on Lynn Road.

3. A 30 foot Type B Transitional use protective yard (existing) shall be provided along the south property line adjacent to Northclift subdivision, lots 1-11 identified by the following PIN Numbers: 1706.07-79-2541, 1706.07-79-1507, 1706.07-79-0631, 1706.07-69-9665, 1706.07-69-9700, 1706.07-69-8734, 1706.07-69-7778, 1706.07-69-7803, 1706.07-69-6837, 1706.07-79-3419, 1706.07-79-1573.

Shopping Center CUD Tract

The uses permitted on this tract shall be limited to vehicular parking and retail sales (convenience, general, and personal service) and eating establishments (no drive-thru) outdoors or in an accessory structure.

Neighborhood Business CUD Tract and Shopping Center CUD Tract

Any increased storm water runoff resulting from an increase in impervious surface on site in excess of ten (10) percent above the presently existing impervious surface (3.1 ac) shall be captured, controlled and released according to CR 7107.

Z-27-14 City-Wide Remapping - Owner Requests/Comments

Arbor Properties, LLC

3500 Spring Forest Road

3501 Spring Forest Road

Raleigh, NC

PIN: 1726366049 & 1726366675

City Proposal: IX-3-PL Owner Request: IX-3

Rationale: Owner concerns regarding proposed frontage element creating a non-conforming status.



Michael Birch | Attorney
630 Davis Drive, Suite 200
Morrisville, NC 27560

919-590-0388
mbirch@morningstarlawgroup.com
www.morningstarlawgroup.com

September 30, 2014

Bynum Walter
Department of City Planning & Development
One Exchange Plaza, Suite 304
Raleigh, NC 27601

Re: 600 New Bern Ave. (1713-08-4852) and 17 S. Swain Street (1713-08-1714) (the
"Properties")

Dear Bynum:

On behalf of the owner of the Properties, we are submitting this letter in response to the City's proposed rezoning designation for the Properties.

The Properties are currently zoned Shopping Center and Office & Institution-2 with a Neighborhood Conservation Overlay District (New Bern/Edenton). The City is proposing to rezone the Properties to NX-3-GR and OX-3-GR with the Neighborhood Conservation Overlay District. Based on the following reasons, the owner is requesting that the Properties be rezoned CX-7-GR:

1. The Properties are designated "Neighborhood Mixed Use" on the Future Land Use Map, which supports a mix of uses including residential, office and retail. The Properties are targeted for mixed-use development by the Old East Raleigh Area Plan. The request for CX is consistent with this guidance because the CX district permits those uses encouraged by the Future Land Use Map and Old East Raleigh Area Plan designations. Also, the CX district permits a hotel use, which is permitted on the Properties under current zoning.
2. The Properties front along New Bern Avenue, which is a corridor targeted for high frequency bus transit. The Comprehensive Plan supports building height in excess of three stories for properties designated Neighborhood Mixed Use and located within a core/transit area. This guidance, taken together with the current height permitted by the underlying zoning districts, supports up to seven stories in height on the Properties.
3. The Properties' underlying districts of SC and O&I-2 permits buildings to be constructed to any height with approval of a preliminary site plan by Planning Commission. Additionally, the Properties total nearly 7.75 acres and provide significant depth as measured from New Bern Avenue to the rear of the Properties, all of which allows the Properties to accommodate taller buildings that are compatible with the surrounding uses and structures.

4. The Properties front along New Bern Avenue, the major thoroughfare heading east out of downtown, connecting downtown and the major employment area around the WakeMed campus. These Properties represent a unique, high-visibility redevelopment opportunity that could serve as an anchor of activity in East Raleigh and promote reinvestment and the redevelopment of strip shopping centers east along New Bern Avenue.

Please feel free to call me should you have any questions or comments.

Sincerely,


Michael Birch

From: [Walter, Bynum](#)
To: [Rezoning](#)
Subject: PC-0053--UDO Remapping Comment #GEN-0521 - 600 New Bern Ave/17 S Swain St
Date: Tuesday, December 16, 2014 5:33:33 PM
Attachments: [image001.jpg](#)

Bynum Walter, AICP
Senior Planner
Long Range Planning Division
Raleigh Department of City Planning
One Exchange Plaza, Suite 300 (27601)
PO Box 590, Raleigh NC, 27602
[919-996-2178](tel:919-996-2178) (v); [919-516-2684](tel:919-516-2684) (f)
<http://www.raleighnc.gov>

Begin forwarded message:

From: Mack Paul <mpaul@morningstarlawgroup.com>
Date: December 12, 2014 at 3:44:22 PM EST
To: "Pettibone, Carter" <Carter.Pettibone@raleighnc.gov>, Michael Birch <mbirch@morningstarlawgroup.com>
Cc: "Walter, Bynum" <Bynum.Walter@raleighnc.gov>, gordon smith <gordonsmith333@gmail.com>
Subject: RE: UDO Remapping Comment #GEN-0521 - 600 New Bern Ave/17 S Swain St

Carter,

I wanted to circle back with you on your response to our remapping request related to 600 New Bern Ave.

We appreciate your feedback on this property, suggesting NX-3-GR with NCOD. The one additional request I would make relates to the portion of the property currently zoned SC. I understand in many instances staff has recommended CX for properties currently zoned SC (as the most similar UDO district). CX permits a hotel use but not NX.

Therefore, we would respectfully request that the portion of the property zoned SC convert to CX with the balance being remapped to NX.

I plan to attend the Planning Commission meeting on Tuesday. I left you a voicemail and would like to touch base in the meantime if possible.

Thanks very much,

Mack

**Mack Paul**

Morningstar Law Group
630 Davis Drive, Suite 200
Morrisville, NC 27560

p. 919.590.0377

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From: Pettibone, Carter [<mailto:Carter.Pettibone@raleighnc.gov>]

Sent: Friday, October 10, 2014 4:39 PM

To: Mack Paul; Michael Birch

Cc: Walter, Bynum; Rezoning

Subject: UDO Remapping Comment #GEN-0521 - 600 New Bern Ave/17 S Swain St

Good afternoon,

I wanted to follow up with both of you since we have had communications with each of you regarding these properties.

Thank you for you and your client's comments regarding the UDO remapping for 600 New Bern Ave/17 S Swain St. We took the request for CX-7-GR to a recent Staff Review Team meeting for discussion. Staff does not agree with the proposed change from NX-3-GR/OX-3-GR (both with NCOD) to CX-7-GR.

Staff feels CX-7 zoning is not consistent with the guidance Staff used in the remapping process, specifically in terms of corresponding to the existing zoning, FLUM designation, and recommendations of the New Bern Avenue Corridor Plan, and complying with the New Bern Edenton Neighborhood Conservation Overlay District. Staff also feels that increasing the height to 7 stories and removing the NCOD overlay would not be appropriate as part of the UDO Remapping process. If the property

owner wishes to pursue this zoning designation, Staff suggests a separate, owner-initiated zoning petition. A process that would allow for a larger public discussion on the increased height and removal of the NCOD.

Staff would be comfortable agreeing to amend the proposed zoning to NX-3-GR (w/ NCOD) for both parcels, if the owner so chooses.

Regardless of Staff's determination, we will be forwarding your comments to the Planning Commission for its review. More information on the remapping project as the Planning Commission begins its review is available at www.RaleighUDO.us. Be sure to sign up for MyRaleigh Subscriptions and subscribe to the topic "UDO - Unified Development Ordinance." You will then receive email notice of each Planning Commission UDO review agenda as it is posted. The draft map with all comments will be forwarded to the Commission at its October 14 meeting, and review will begin in earnest on October 21.

Please let me know if you have any questions.

Carter Pettibone, AICP

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Z-19-90 Holly Springs Road, north side, at its intersection with Trailwood Drive, being properties on both sides of Rannette Street, and being Parcels 34-37, 41, 168, 179-181, 193 and 289, Tax Map 603, rezoned to Thoroughfare Conditional Use District.

Conditions:

1. No buildings containing more than 3 stories or 45' in height will be allowed in the Thoroughfare Conditional Use District;
2. With the exception of detached single family dwellings, no building, accessory buildings, or loading docks shall be placed closer than 50' to the northern boundary of the Thoroughfare Conditional Use District (southern boundary of parcels 603-208 and 603-207);
3. No residential densities greater than 20 dwelling units per acre shall be established in the Thoroughfare Conditional Use District;
4. Upon development, the rate of stormwater runoff will comply with CR 7107;
5. The following shall not be permitted in the Thoroughfare Conditional Use District:
 1. Air landing strips;
 2. Commercially established and operated riding stables;
 3. Adult establishments;
 4. Outdoor theaters;
 5. Public utility plants;
 6. Industrial uses involving the processing of materials, fabricating, mixing, printing, assembling, cutting, or repairing of articles and products;
 7. Above ground bulk storage of flammable and combustible liquids;
 8. Indoor or outdoor operation of solid waste reclamation;
 9. Outdoor storage as an accessory use of the operation of an industrial or manufacturing use including the storage of coal, ores, minerals, stone, sand, gravel, or earth;
 10. Outdoor recreational activity involving motorized vehicles; and
 11. Catteries and kennels.
 12. The value of any future additional rights-of-way, which may be required by the City of Raleigh along either or both Holly Springs Road or Trailwood Drive shall be based on the zoning districts in place as of January 8th, 1989. This condition shall apply for a distance of up to 45 lf from the existing centerline of Holly Springs Road and/or Trailwood Drive.

Ordinance (1998) 405 ZC 440
Effective: 09/01/98

PC-0012
PC Agenda Item 153

Z-71-98 Tryon Road, north side, extending to I-40, between Trailwood Drive and Gorman Street, being a portion of Wake County Tax Map Parcels 0782.12 97 3707 and 0782.12 97 1987. Approximately 4.2 acres rezoned to Neighborhood Business Conditional Use.

Conditions: (08/12/98)

- A. Right-of-way reimbursement to remain at R-10.
- B. Compliance with Planning Commission Certified Recommendation 7107 concerning Storm Water runoff.
- C. Uses restricted to Self-Storage Facility and its accessory uses and all R-10 uses excluding Bed & Breakfast.

Z-111-99 Tyron Road, north side, east of Gorman Street and south of I-40, being Wake County PIN Map 0782.08 97 0934. Approximately 1.06 acres rezoned to Neighborhood Business Conditional Use.

Conditions: (10/11/99)

- A. Compliance with Planning Commission Certified Recommendation 7107 concerning stormwater runoff. SHOD-1 overlay district is to remain.
- B. Uses restricted to Mini Warehouse Storage Facility and it's accessory uses and all R-10 uses excluding Bed and Breakfast.
- C. Parcel must be recombined with adjacent Pin# 0782.12 97 3707 and 0782.12 97 1987. Recombination is to be done prior to any development of the parcel.
- D. Reimbursement for any future right of way dedication is to be based on R-10 values.

Z-71-04 – Tryon Road and South Wilmington Street, northwest quadrant, being various Wake County PIN's. Approximately 8.85 acres rezoned to Shopping Center Conditional Use District.

Conditions dated: 3/9/05

- A. Architecture for development within this subject area shall adhere to the same Unity of Development Criteria submitted for the adjacent Amelia Park PDD (MP-4-04). In the event that the Amelia Park PDD (MP-4-04) is not approved, a separate Unity of Development application that applies to the Z-71-04 subject property shall be submitted for approval to the City.
- B. Street yards along all public streets shall be a minimum of fifteen (15') feet in width and shall be provided in accordance with City Code Section 10-2082.5(d)(2).
- C. Upon development, vehicular and pedestrian connections shall be made to Tract B of the adjacent Amelia Park PDD (MP-4-04) (Wake County PIN 1702-21-6612 DB 02204 Page 0113). In the event the Amelia Park PDD (MP-4-04) is not approved, the developer shall still provide a vehicular and pedestrian access easement upon development of the subject property to Wake County PIN 1702-21-6612 DB 02204 Page 0113.
- D. Full movement entry drives to the surrounding public streets shall be designed so they provide logical and safe vehicular movements between the adjacent shopping center parcels to the north (Wake County PINs 1702-31-0938 DB 08621 Page 1387; 1702-32-3154 DB 07511 Page 0178; 1702-21-7999 DB 08621 Page 1387) and Tract B of the adjacent Amelia Park PDD (MP-4-04) (Wake County PIN 1702-21-6612 DB 02204 Page 0113).
- E. The development shall provide a minimum of two (2) five (5') foot wide sidewalk connections (in addition to those provided along Tryon Road) to the Tract B of the adjacent Amelia Park PDD (MP-4-04). In the event that the Amelia Park PDD (MP-4-04) is not approved, the developer shall provide the corresponding two (2) five (5') foot wide sidewalk connections to both Tract B (Wake County PIN 1702-21-6612 DB 02204 Page 0113) and to the adjacent shopping center parcel to the north (Wake County PINs 1702-31-0938 DB 08621 Page 1387; 1702-32-3154 DB 07511 Page 0178; 1702-21-7999 DB 08621 Page 1387).
- F. One (1) fixed bike rack, one (1) bench and one (1) outdoor trash receptacle shall be provided for every 20,000 square feet of gross floor area. Locations may vary so long as at least one of each is located within 100' of each store entrance.
- G. Linear landscaped medians (to meet the City's Vehicular Surface Area standards in 10-2082.6(c)(9) a through c) shall be provided to break up surface parking areas. These landscaped medians shall be provided between parking spaces at minimum rate of one (1) island per 65,000 square feet of Vehicular Surface Area.

- H. Vehicular and pedestrian cross-access easements shall be provided among all non-residential uses in the subject property.
- I. Upon development of the property, a minimum of one (1) transit easement with a minimum dimension of 15' by 20' shall be offered within the development area. A central location for this transit easement with access to a public street that is also suited for pedestrians and development activity shall be determined by the City of Raleigh Transit Division at the time of plan submittal. The location for this transit easement will take into consideration the location of the transit easement and shelter to be provided within Tract B of Amelia Park PDD (MP-4-04) (if approved).
- J. All uses permitted in Shopping Center (SC) Districts shall be allowed except for: Residential (all); Cattery; Kennel; Riding Stables; Telecommunications Towers; Automotive service/repair facilities; Vehicle sales/rental; Individual storage buildings; Mini-warehouse storage facilities; and Adult establishments.
- K. Points of vehicular/egress along the re-alignment of Tryon shall be limited to a maximum of one (1) driveway. Additional access points shall be obtained via access to other public streets that surround and/or bi-sect the subject area. The location of this drive shall be reviewed and approved by the City and NC DOT for adequate spacing and safety.
- L. All non-residential uses within the subject area shall be limited to a maximum of 88,500 square feet (floor area gross).
- M. Individual non-residential buildings shall provide minimum height of twenty (20') feet and a maximum height of fifty (50') feet.
- N. An easement with a minimum area of 400 square feet shall be offered to the City for the purposes of locating an entry feature and /or sign that indicates entry to the City of Raleigh. The location for this easement shall be determined and provided by the developer upon development of the subject property.
- O. Reimbursements for any additional right-of-way shall be at the City's established rate for Industrial-1.

Z-98-86 Navaho Drive, north and south sides, west of Wake Forest Road, between Benson Road Extension and Quail Hollow Drive (adjacent to the Beltline), being Parcels 337 and 372, Tax Map 436 rezoned to Residential-20 Conditional Use.

CONDITIONS: See attached CR 6433

A. Conditional Use District Zone requested: R-20 (for tracts A & B)

B. Uses and/or maximum number of dwelling or rooming units to be allowed:

Tract A (9.66 acres)- 177 apartment units and all uses allowed in Raleigh City Code 10-2026(f).

Tract B (10.29 acres)- 184 apartment units and all uses allowed in Code 10-2026(f)

C. Narrative of conditions being requested:

Minimum of 280 off-street parking spaces in Tract A.

Minimum of 266 off-street parking spaces in Tract B.

Owner will dedicate to public use the street right-of-way for Navaho Drive from the point of its present dedication (as shown by plat recorded in Book of Maps 1968, Page 137, Wake County Registry) westward to the western right-of-way line of Quail Hollow Drive and the street right-of-way for Quail Hollow Drive northward from the southern right-of-way line of Navaho Drive (as proposed to be dedicated) to the northern property line of the project.

Tracts A and B and the street rights of way to be dedicated (crosshatched) are as shown on survey entitled "As built Survey - Oakwood Villa," by Castleberry-Edgerton Co., dated 8/15/86, on file with the Raleigh Planning Department with Petition Z-98-86.

Street rights-of-way to be dedicated within six (6) months of approval of conditional use rezoning.

Z-98-95 Lynn Road, south side, at its western intersection with Six Forks Road, being Map 1706.07, Block 79, Parcels 0853 and 1939, and Map 1707.19, Block 60, Parcel 9055. Approximately 4.9 acres rezoned to Neighborhood Business Conditional Use and Shopping Center Conditional Use.

Conditions: (11/29/95)

Neighborhood Business CUD Tract

1. The following uses shall not be permitted on this tract; bar, night club, lounge, tavern; automotive service and repair facility; drive-through restaurants; hotel/motel; movie theater; emergency shelter type A or B; landfill; manufacturing; mini-warehouse storage facility; nor any special uses in the Neighborhood Business District which presently require City Council or Board of Adjustment approval.
2. Access to the site shall be limited to the existing driveways; one on Six Forks Road and one on Lynn Road.
3. A 30 foot Type B Transitional use protective yard (existing) shall be provided along the south property line adjacent to Northcliff subdivision, lots 1-11 identified by the following PIN Numbers: 1706.07-79-2541, 1706.07-79-1507, 1706.07-79-0631, 1706.07-69-9665, 1706.07-69-9700, 1706.07-69-8734, 1706.07-69-7778, 1706.07-69-7803, 1706.07-69-6837, 1706.07-79-3419, 1706.07-79-1573.

Shopping Center CUD Tract

The uses permitted on this tract shall be limited to vehicular parking and retail sales (convenience, general, and personal service) and eating establishments (no drive-thru) outdoors or in an accessory structure.

Neighborhood Business CUD Tract and Shopping Center CUD Tract

Any increased storm water runoff resulting from an increase in impervious surface on site in excess of ten (10) percent above the presently existing impervious surface (3.1 ac) shall be captured, controlled and released according to CR 7107.